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THE MARIN COUNTYWIDE PLAN



HOUSING
ELEMENT

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I. INTRODUCTION

The County of Marin has prepared its revised Housing Element to meet the requirements of State law and to incorporate new information from the Association of Bay Area Government's Projections '92 and Regional Housing Needs Determinations, and from other sources. The revised Element identifies housing needs within unincorporated areas in Marin, and proposes specific programs (including dates of implementation) necessary to address these needs. The beginning section of the Element details population and housing characteristics of the county, including an analysis of planning implications. The second section focuses on the characteristics and needs of special populations: the elderly, women-headed households, large families, farm workers, handicapped persons, and homeless persons. In the third section, other housing issues such as projected housing needs, constraints on the development of housing, and the number of units that can potentially be developed are discussed. The last component of the Element is a set of objectives, policies and programs that will be used to meet the housing needs described in the previous sections.

A. LEGAL AUTHORITY

The State Legislature has found that the availability of housing is of statewide importance. To ensure that Counties and Cities recognize their responsibilities to the attainment of the statewide housing goal, the State Legislature adopted Section 65583 of the California Code in 1980. This section of the code requires local governments to prepare and implement housing elements as part of their General Plans and to revise them every five years. According to Section 65583, the Housing Element shall consist of "an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing."

B. RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS

The Community Development Element includes a series of land use policy maps which identify locations and densities for housing in unincorporated Marin. The Transportation Element provides for transportation facilities and services to serve housing development. The Community Facilities Element describes urban services and establishes policies for annexation of development requiring urban services to cities. The Noise Element establishes standards for acceptable levels of noise in new and existing residential communities. The Environmental Quality Element establishes standards for the built environment so that residential development will be in harmony with the natural environment. The Environmental Hazards Element ensures that housing will not be built in areas which are unsafe because of flooding, wildland fires, and seismic events.

II. EXISTING CONDITIONS

A. GENERAL POPULATION CHARACTERISTICS

1. Population Growth

Until recently, Marin, as well as the entire Bay Area, has grown fairly rapidly. The Bay Area population grew by an average 2.3% each year between 1960 and 1970; the same rate of growth that occurred in the unincorporated portion of Marin¹ (Figure 1 shows the unincorporated areas). Since 1970 the rate of population growth has slowed for the Bay Area and Marin. Each year between 1980 and 1990, the average annual increase in the population of the Bay Area was only 1.6%². In unincorporated Marin, it was 0.14%, about half of the growth rate of the 1960s. As a result, the unincorporated area's share of the total population of the Bay Area dropped between 1960 and 1990 from 1.5% to 1.0%. In 1990, the population of the Bay Area was estimated to be about 6 million persons, compared to 64,090 persons in unincorporated Marin. Table 1 illustrates these trends.

Table 1

POPULATION GROWTH Unincorporated Marin County and Bay Area, 1960-1990

Year	Unincorporated Marin Population	Percent Change	Bay Area Population	Percent Change	Marin's Share
1960	53,669	N/A	3,638,939	N/A	1.5
1970	65,762	22.5	4,473,320	22.9	1.5
1980	63,178	(3.9)	5,179,784	15.7	1.2
1990	64,090	1.4	6,023,577	16.3	1.1

SOURCE: U.S. Census of Population and Housing, 1960, 1970, 1980, 1990

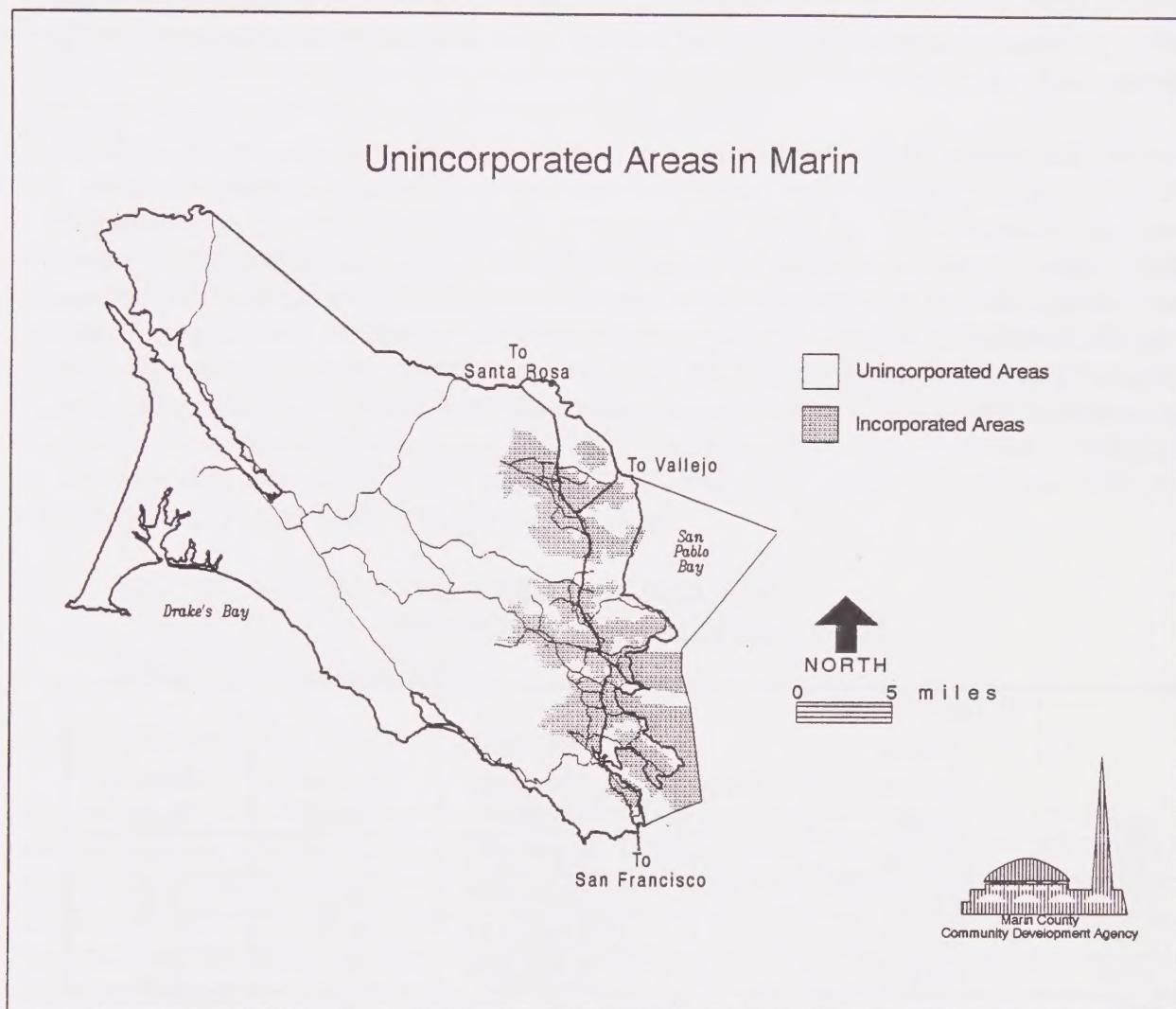
2. Age of the Population

The birth and maturation of the "baby boom" generation is evident in Marin's population statistics. Many of the children that were born during the "baby boom" era of the late 1940s and 1950s are now part of the resident adult population. As a result, the age of Marin's residents increased over the years. For example, the median age of Marin's population was 30 years in 1970. By 1980, the median age increased to over 33 years³. In 1990, the median age had risen to 38 years.

The median age of Marin's population was the highest among the nine counties of the Bay Area. In 1990, the median age of the entire Bay Area was 33.7. This may reflect the inability of large families and younger persons to pay the high cost of living in Marin. The

increasingly large proportion of Marin residents in older age groups has planning implications for local housing and social service needs in the coming decades.

Figure 1



3. Size of Households

Household size has been decreasing nationwide since the 1950s. People are having fewer children; there are more single-parent households; people are getting married later in life than before; the divorce rate has increased since 1950. All of these factors have combined to decrease average household size. Marin and the Bay Area reflect this national trend; the 1970 average of 3.1 persons per household for unincorporated Marin and 2.9 persons per household for the region had, by 1990, dropped to 2.33 and 2.15 persons per household respectively.⁴

4. Growth in the Housing Stock

Growth in the housing stock in Marin and the Bay Area slowed between 1980 and 1990 compared to the 1960 - 1980 time period. On the average, the growth in Marin's housing stock was only 0.5% each year between 1980 and 1990 compared to 2% between 1960 and 1980. Likewise growth in the Bay Area housing stock dropped from an average of 3% each year to 1.4%.

However, the number of new housing units in both the Bay Area and unincorporated Marin have grown by surprisingly large numbers in relation to growth in population. Table 2 shows that between 1960 and 1980, the Bay Area housing stock grew by approximately 802,000 units, a number equivalent to more than 50% of the increase in population. Even more dramatic changes have taken place in unincorporated Marin: during the 1960-80 time period the number of new housing units was equivalent to 84% of the number of new persons⁵. This trend has reversed itself in Marin since 1980. Between 1980 and 1990 unincorporated Marin had an estimated 617 units built; 295 fewer units were added than persons⁶.

Table 2

HOUSING GROWTH Marin County and Bay Area, 1960-1990

Year	Unincorporated Marin Housing Stock	Percent Change	Bay Area Housing Stock	Percent Change	Marin's Share
1960	17,286	N/A	1,259,277	42.0	1.4
1970	21,181	22.5	1,626,383	29.2	1.3
1980	25,233	19.1	2,061,343	26.7	1.2
1990	25,840	2.4	2,365,374	10.3	1.1

SOURCE: U.S. Census of Population and Housing, 1960, 1970, 1980, 1990

5. Housing Prices

Marin is known as a place of natural beauty and high priced housing. In 1986, the median selling price of homes in Marin was \$216,741. With a median selling price of \$232,415, San Mateo was the only County in the Bay Area with a higher price than Marin⁷. According to the Marin County Board of Realtors, in 1988 the average price of single-family residences in Marin was \$270,997, close to \$60,000 more than the Bay Area average of \$212,757⁸. Housing prices in unincorporated Marin tend to be slightly lower than the county average. Between 1980 and 1986, houses in unincorporated Marin sold for about \$25,000 less than the county average. High housing prices in Marin are primarily

the result of a restricted housing supply combined with Marin's high quality of life and proximity to San Francisco.

Because rents tend to correspond with home prices, counties with expensive homes have high rents. In January of 1988, the Bay Area Council reported that the median advertised rent for a two bedroom unfurnished apartment in Marin was \$755 per month, second only to San Mateo County and San Francisco in the Bay Area. It was estimated that the median rent in unincorporated Marin was \$670 per month in 1988⁹.

6. Jobs/Housing Imbalance

The number of jobs in an area has implications for the number of houses needed in the area. If there is an inadequate supply of affordable housing, persons working locally will tend to commute from less expensive outlying areas. This problem is manifest in Marin. Although housing has been built, job growth has still outpaced the growth in the housing supply. Furthermore, while Marin housing costs are among the highest in the Bay Area, the payroll from Marin jobs is among the lowest in the region. This imbalance contributes to severe traffic congestion on Highway 101 (the main link between Marin and Sonoma County where housing costs are lower).

B. SPECIAL NEEDS POPULATIONS

1. Women-headed Households

a. Household Characteristics

According to the 1990 Census, there were 6,410 households headed by women in unincorporated Marin County. This was approximately one-quarter of the 23,945 households in the unincorporated area. Among women householders, 1,141 had children under age 18 (4.8% of the total). Although the number of women-headed households increased by 541 since the 1980 Census, the number of women-headed households with children declined by 404.

The Census did not report housing or income characteristics for women-headed households except for poverty statistics. In 1990, 289 women-headed households were listed as living below the poverty level. Of these, 251 had children under age 18.

b. Needs Assessment

The Woman's Needs Assessment prepared by the Marin County Commission on the Status of Women (1983) found the following problems encountered in Marin's housing market:

- Rents are high compared to the incomes of households. Women must direct a large percentage of their income to rent.

- Landlords have discriminated against women with children in various ways; high security deposits and density limits are the most common.
- Some landlords may require higher security deposits and more stringent credit checks of women than of other households.
- Landlord/tenant relations can be problematic, especially in the area of maintenance.
- Eviction without just cause is perceived as a threat to secure tenure.
- Among women who own their homes, secure tenure is threatened by divorce. Often a divorcing couple will sell their house as part of a settlement; women then face an expensive housing market.
- Lower incomes for women result in high percentages of their income being spent for mortgages, taxes, insurance, and maintenance. These burdens are more severe for retired, elderly women with fixed incomes.

In responding to what could be done about these problems, survey respondents suggested landlord/tenant mediation services; an increased supply of low cost units, temporary shelters and transitional housing; and "just cause" eviction laws. There was also support for an anti-discrimination ordinance to prohibit apartment owners and managers from discriminating against female-headed households through rental procedures.

By partially funding the Marin Housing Center's Fair Housing Program, the County indirectly participates in landlord/tenant mediation services. The County has provided a number of low cost units through a variety of affordable housing programs (including support for organizations that provide shared housing, an increasingly popular way to reduce housing costs for female-headed households). Finally, in response to the need for an anti-discrimination ordinance and "just cause" eviction laws, the Marin County Board of Supervisors adopted an ordinance on November 14, 1989, which prohibits discrimination in rental housing against families with children. It covers advertising, rate setting and eviction procedures.

2. Large Families

a. Household Characteristics

According to the 1990 Census, there were 1,485 families with five or more persons in unincorporated Marin, 9.6% of all unincorporated area families. This was a decline of 489 large families as reported in the 1980 Census.

Estimates in the 1989 Housing Assistance Plan (HAP), showed that 45 large families had very low incomes (less than 50% of the median for the County), and 25 large families had low incomes (between 50% and 80% of median) in unincorporated Marin in 1989¹⁰.

b. Needs Assessment

The primary housing need for lower income large families is units which are both large and affordable. Marin has an ample stock of large, single-family housing units, but they are normally very expensive to buy or rent. To meet the increased housing need of this particular special population, the County should ensure that one very low income unit, and one low income unit is large enough to accommodate a family of five or more persons.

3. Elderly Households

a. Household Characteristics

According to the 1990 Census, there were 4,148 households headed by elderly persons in unincorporated Marin (elderly is defined as persons of 65 or more years of age). Elderly householders comprised 17.3% of all unincorporated households. Of the 4,148 elderly households, 1,609 are comprised of persons living alone, 39% of the total. Three-quarters of the elderly persons living alone are women.

According to the Housing Assistance Plan, approximately 150 elderly households had very low incomes in 1989 and 75 had low incomes. (Statistics from the 1990 Census show that 205 elderly households were below the poverty line, almost all of whom lived alone.)

b. Needs Assessment

In addition to needs outlined in the Housing Assistance Plan, the Marin County Area Agency on Aging performed a study of elderly people in 1985. Entitled "Coming of Age in Marin," the study highlighted that elderly persons are very attached to their homes and would prefer to remain in them. Secondly, elderly renters spend five times as much of their income on housing than elderly homeowners. Thus the housing needs of the elderly include affordable rental housing, low interest rehabilitation loans, rental assistance and convenient access to health and social services.

4. Handicapped Persons

a. Household Characteristics

The 1990 Census reported 2,126 disabled people living in unincorporated Marin. (A disabled person is defined by the U.S. Census as a person between the ages of 16 and 64 with a physical, mental or health condition that has lasted for more than six months). In 1980, there were 2,285 persons with a work disability as defined by the Census.

b. Needs Assessment

People who are physically, mentally, or developmentally disabled have housing needs that range from minor alterations of their existing house to total care in a specially-designed facility. Generally, people with physical handicaps require housing adapted to their condition of limited mobility. Adaptations include wheelchair ramps, wider doors, rails and other fixtures. All commercial buildings and apartments are now required by State law to be accessible to physically handicapped persons. For those single and multifamily dwelling units which are exempt from State accessibility regulations, alterations and additions to existing housing can provide accessibility at moderate costs. The County should initiate steps toward amending zoning regulations to encourage more accessible housing by allowing well designed wheelchair ramps and elevators to be located within property setbacks without requiring a variance from zoning regulations.

Another form of physical handicap which is becoming increasingly prevalent in Marin is hypersensitivity to chemicals used in construction materials and other airborne pollutants. An increasing number of individuals with this disability are expected to come to Marin because of the good air quality found here¹¹. The County should undertake research to 1) identify appropriate sites to build units suitable for this group of people, 2) review the relationship between building materials required in such units and building materials required by State Health and Safety Standards, and, 3) if necessary, initiate programs to ensure the production of units suitable for people with this form of handicap.

People with developmental and/or emotional disabilities often require social services in conjunction with housing. The more capable people may function well in typical housing situations, using services on an out-patient basis. The more severely disabled may require specialized housing.

The most common type of specialized housing in Marin serving mentally handicapped people are group homes in which several disabled individuals receive support from service providers who also live in the house. The County has amended its zoning ordinance to remove the requirement for a Use Permit for residential care facilities. The County should also increase its support of organizations which provide group housing to ensure that not only the existing unmet need, but also projected increases in future needs are met.

5. Farm Workers

a. Household Characteristics

Agricultural operations in Marin consist mainly of family-owned and operated ranches. Dairy and beef cattle, sheep, and horses comprise the stock. A few other farms provide feed and silage for the ranches. The farm owner and worker population in Marin is fairly small; the 1990 Census reported that 635 unincorporated area residents lived on farms and 845 residents worked on farms.

b. Needs Assessment

For the most part, family farm workers live year-round on the farm. Non-family workers who live on farms are housed in a variety of ways. Some are in mobile homes or cottages. Others live in former bunkhouses or in houses vacated by the family when they moved to a new house. By nature, ranch operations in Marin do not have the seasonal labor requirements of crop agriculture. Since they normally do not use migrant farm workers, there is not a significant need for the County to help provide temporary housing for seasonal farm workers. (In fact, the 1990 Census reported only 17 housing units in the entire county to be for migrant farm workers.) The housing needs of additional farm workers will probably be met by individual ranch owners.

6. The Homeless

a. Population Characteristics

Homeless people who require emergency shelters and transitional housing include individuals, families with children, and mentally ill persons. A group of agencies which provide services to the homeless reported in 1985 that 500 people used emergency shelter facilities during a six-month period, and that between 100 and 300 people are homeless at any one time. Between 10 and 20% are families (10-30 persons), and 24% are females (20-35 persons); 31% of Marin's homeless are employed¹². Current programs provide services to approximately 400 persons a year.

b. Needs Assessment

Two types of housing needed by homeless people are transitional housing and emergency shelters. The focus of transitional housing facilities is to provide a stable living environment until clients can make their own living arrangements. Sometimes people stay for extended periods of time (i.e. two to six weeks). Transitional housing tends to have more private sleeping and living areas, and is thus more appropriate for families with children. In addition, the services provided by transitional housing facilities, such as job training and counseling, tend to be more comprehensive.

Emergency shelters, on the other hand, are used primarily by homeless adults who need food and a warm place to sleep. Typically clients stay at the facility on a day-to-day basis. Some emergency shelters provide numerous services such as job training, medical care, literacy services, drug and alcohol counseling, and psychiatric counseling. Others provide transportation to such services located off-site.

There were no permanent emergency shelters in Marin County as of March, 1993. The armory (located in San Rafael) was used as an emergency shelter for the winters between 1987 and 1992. It served an average 50 persons each night in the winter of 1988/1989, up to 75 persons per night in the winter of 1989/1990, and 100 persons per night in 1990/91 and 1991/92. In 1992/93 the County served 100 homeless persons through a transitional

program at World College West, a former college campus, located near the Marin-Sonoma County border.

The Marin County Board of Supervisors voted in May, 1988 to provide a year-round shelter for the homeless to replace the temporary shelter at the armory. The Board also voted to support the launching of a fund-raising effort to finance the proposed program. Preliminary plans to locate a large, semi-permanent emergency shelter near the armory were withdrawn in the summer of 1989 due to public opposition. At that time, an advisory committee was established to research alternatives, hold public hearings and make recommendations to the Marin County Board of Supervisors on the location and design of a permanent emergency shelter. The committee is identifying sites in five areas of the County for a decentralized shelter program. In each area a location for a 20 to 25 person shelter will be identified and funding and programs will be provided. The Committee expects to finish its work by September 1993.

The County has ensured that there are sites with appropriate zoning and adequate infrastructure to allow the location, construction, and operation of emergency shelters and transitional housing facilities (see Inventory of Emergency Shelter Sites).

C. HOUSING ISSUES

1. Affordability

The high cost of housing continues to be an issue of great concern to the local population. Virtually everyone in the community is impacted by high housing costs: social and economic diversity within the community is restricted; first-time home buyers are often forced to move to less expensive areas outside the county; and businesses may have to increase the wages offered in order to compete for scarce employees.

For first-time home buyers, housing has become exceedingly difficult to purchase. The median price of a Marin home was \$270,997 in 1988.¹³ The annual carrying costs (including mortgage payments, property tax, and insurance) would be affordable to households earning \$88,700¹⁴. However, the median income for a 4-person Marin household was \$42,500 in 1988¹⁵. These figures indicate that far less than half of Marin's population would be able to purchase a home for the first time. Data from the 1990 Census show an even greater disparity between home prices and income. The median value of an owner-occupied house was reported to be \$354,200. The median household income was \$48,544 (family income, \$59,157).

Housing for renters was less expensive than for home buyers. The median rent for a typical two-bedroom house in January, 1988 was \$755. This would be affordable to persons earning about \$30,000 a year, well below the 1988 median household income for a family of four. The 1990 Census reported a median rent of \$763 for renter-occupied housing. (Average asking rent for vacant units was \$874).

a. Overpayment By Renters

Table 3 shows that 58% of the renters in unincorporated Marin, including areas within the sphere of influence of cities in Marin¹⁶, paid more than 25% of their income for housing (3,787 out of 6,477 households) in 1990¹⁷. Table 3 also shows that the lower a renter's income, the more likely the household will overpay for housing. For example, 94% of the renters earning \$10,000 or less overpaid for housing, while only 18% of the renters earning over \$50,000 overpaid for housing. A total of 2,659 lower income households overpaid for rental housing in 1990.

Table 3

ESTIMATED PERCENTAGE OF INCOME USED FOR HOUSING
Unincorporated Marin, 1990

Percent of Income Paid for Housing	<u>Number of Renter-Occupied Housing Units</u>				
	Household Income				
	< \$ 10,000	\$ 10,000 to \$19,999	\$ 20,000 to \$ 34,999	\$35,000 to \$ 49,999	\$ 50,000
< 20%	34	77	129	355	1093
20-24%	13	45	165	225	554
25-29%	81	70	168	315	244
30-34%	69	82	257	108	104
> 35%	<u>560</u>	<u>539</u>	<u>833</u>	<u>343</u>	<u>14</u>
	757	813	1552	1346	2009

Percent of Income Paid for Housing	<u>Number of Owner-Occupied Housing Units</u>				
	Household Income				
	< \$ 10,000	\$ 10,000 to \$19,999	\$ 20,000 to \$ 34,999	\$35,000 to \$ 49,999	\$ 50,000
< 20%	47	246	761	853	4733
20-24%	24	117	102	173	1138
25-29%	15	65	122	133	1007
30-34%	23	69	101	175	884
> 35%	<u>376</u>	<u>414</u>	<u>769</u>	<u>633</u>	<u>1469</u>
	485	911	1855	1967	9231

Source: 1990 U.S. Census of Housing,

b. Overpayment by Owners

Unlike renter households, only 43% of owner-occupants paid more than 25% of their income for housing. Among low income homeowners, 60% overpay for housing (1,954 of

3,251 households). These figures provide further evidence that there is a need for more housing which is affordable to lower income households.

2. Overcrowding

The Department of Housing and Urban Development considers a housing unit to be overcrowded when there is more than one person per room (not including bathrooms, porches, foyers, halls, or half rooms). Incidence of overcrowding is low in unincorporated Marin. The 1990 Census reported that only 2% of all occupied housing units had more than one person per room. In owner-occupied housing, only 1% of the units were overcrowded; in renter-occupied units, 4.5% of the units were overcrowded.

3. Vacant Housing Units

The vacancy rate is defined as the percentage of total housing units which are either for sale or for rent. A total of 476 units were for sale or for rent in unincorporated Marin according to the 1990 Census. That represented 1.8% of the housing stock.

4. Tenure of Housing

Of the 23,945 occupied housing units in the unincorporated area in 1990, 69.4% were owner-occupied, and 30.6% were renter-occupied.

5. Substandard Housing

Houses in Marin command such a high price in the housing market that owners who can afford to improve or maintain their unit's quality have a strong incentive to do so. An estimated 540 substandard units were located in unincorporated Marin as of 1988¹⁸. Based on these figures, there is a need to expand rehabilitation programs in unincorporated Marin.

6. Housing in Need of Replacement

The number of abandoned units in the county was negligible in 1988¹⁹. Because of high land values and housing costs in the unincorporated county, units which are substandard to the point of needing replacement are generally torn down and replaced.

7. Energy Conservation

Minimizing energy used for space and water heating as well as air conditioning can significantly increase the affordability of housing. Water heating is second only to space heating in total energy usage. Energy use can range anywhere from \$75 to \$200 per month in homes heated by electricity²⁰. The County has attempted to minimize energy costs for its residents by implementing several energy conservation measures which are detailed below.

Solar Access Ordinance

- Regulates street orientation of new dwelling units in subdivisions
- Ensures that buildings are designed for purposes of solar access
- Allows winter heat gain onto rooftops and sidewalks
- Requires summertime shading of streets and parking lots

Wind Energy Ordinance

- Establishes criteria for the location of wind energy conversion systems
- Home Weatherization Program

Marin Citizens for Energy Planning and PG&E offer free installation of attic insulation, weather stripping, caulking, water heater blankets, low flow shower heads, duct wrap and minor home repairs for low income households. Funded through the State Department of Economic Opportunity, the Energy Crisis Intervention Program is designed to help low income residents pay delinquent energy bills to avoid interruption of service.

8. Inventory of Emergency Shelter Sites

Emergency shelters and transitional housing facilities providing housing for fewer than six persons are allowed in all residential zoning districts. It is estimated that as of 1989, there are 17,162 housing units in unincorporated Marin where emergency shelter and transitional housing for fewer than six persons at a time would be allowed. Emergency shelters and transitional housing facilities providing housing for six or more persons are allowed on all parcels zoned for multi-family residential use with a use permit. It is estimated that with use permit approvals, there are 2,669 housing units where shelters for six or more homeless persons at a time would be allowed²¹. Given an existing unmet need of housing for 80 to 140 homeless persons in the unincorporated County, there is a sufficient number of sites with adequate public services to meet the housing needs of this special population.

III. PROJECTIONS

A. GENERAL POPULATION CHARACTERISTICS

1. Population Growth

Marin's total population is projected to increase from 222,568 persons in 1980 to 242,900 persons by the year 1995²²; this is an average annual increase of 0.6%. The projected increase for the Bay Area during the same time period is 1.6% annually. Approximately 68,950 persons will reside in the unincorporated county in the year 1995; this is an increase of 4,860 over the 1990 population²³.

2. Age of the Population

By 1995, both Marin and the Bay Area are expected to have populations with a higher median age. The median age of Marin residents is projected to rise to 38.75 years in

1995, an increase of nearly three years from 1985, while the Bay Area median is expected to increase just over one year to 33.60 years²⁴.

3. Size of Households

Although there is a long term trend of declining household size, household size is expected to stabilize in both Marin and the Bay Area between 1990 and 1995. Marin's average household size is expected to remain at 2.33 persons per household; the Bay Area average household size will remain at 2.5 persons per household²⁵.

4. Number of Housing Units

According to the Association of Bay Area Governments (ABAG), growth in unincorporated Marin's housing stock will total about 654 units between 1980 and the year 1995, an increase of 2.6% over the 15-year period²⁶. The number of housing units in the entire county is expected to increase by 7.8% during this same 15-year interval, and the housing stock of the Bay Area will grow by 21%²⁷.

5. Housing Prices

Housing prices will probably continue to climb in both Marin and the Bay Area. Developable land is becoming more scarce, and with a sustained regional demand for housing, land prices will continue to rise. Construction costs are also likely to climb as inflation pushes the cost of building materials and labor upward. In addition, development impact fees for housing are expected to continue to rise as local governments increasingly fund infrastructure improvements (transportation, flood control, etc.) with this source of revenue.

6. Jobs/Housing Imbalance

Marin industries are projected to employ 34,000 more persons by the year 1995 than in 1980. At that rate of increase, job growth will not only outpace the growth in the housing supply, but will also outpace growth in the labor force. Even if everyone projected to be added to Marin's labor force held a local job, 19,500 workers would still have to commute into Marin. The Bay Area faces a similar situation. ABAG has projected that nearly 153,000 workers will have to commute into the Bay Area in the year 2005 due to Bay Area housing constraints (ABAG, Projections '92).

B. SPECIAL NEEDS POPULATIONS

1. Women-headed Households

If trends of the 1980s were projected to 1995, there would be 6,680 women-headed households living in the unincorporated area. The number of women householders with

children declined during the 1980s. If this trend holds, there would be 941 in 1995. Poverty statistics as reported by the census showed that the number of women-headed households living below the poverty level declined during the 1980s, from 395 to 289 households. If this trend were projected to 1995, there would be 236 women householders living below the poverty level.

2. Large Families

During the 1980s, there was a decline in the number of large families. If the trend continues to 1995, the number of large families will drop to 1,240 (a decrease of 244 large families). By the year 1995, there is projected to be one additional low income large family, and one additional very low income large family. To meet the increased housing need of this particular special population, the County should ensure that one very low income unit, and one low income unit is large enough to accommodate a family of five or more persons.

3. Elderly Households

If trends of the 1980s continue, there are projected to be 4,672 elderly households by the year 1995, an increase of 524 households. By the year 1995, it is projected that at least four additional elderly households will have low incomes, and two additional elderly households will have very low incomes.

Given the increasing number of elderly in Marin, there is a need for the County to expand its commitment to their housing needs. The addition of at least four low income and two very low income senior units is necessary to meet the housing needs of this special population. The construction costs of new senior housing could be reduced by applying different development regulations for such projects. Studies have shown that parking needs for seniors are less than those of the general population; seniors also tend to require smaller houses. The County has amended its development standards to permit consideration of reduced parking space requirements for affordable senior housing projects in order to make these projects more cost effective. Continued provision of rental assistance, rehabilitation loans, and home equity conversion programs will help ensure the conservation of existing affordable senior housing. Integrating affordable housing with health and social service facilities is also desirable; this has been done successfully at the Kruger Pines apartment complex, for example.

4. Handicapped Persons

By the year 1995, an estimated 2,200 physically and mentally handicapped people will reside in unincorporated Marin.

5. Farm Workers

If recent trends were projected to the year 1995 farm residency and employment would remain close to the same numbers. Since local farms normally do not use migrant farm workers, there is not a significant need for the County to help provide temporary housing for seasonal farm workers. The housing needs of additional farm workers will probably be met by individual ranch owners.

6. The Homeless

Because current estimates are so varied, there is no way to systematically project the number of homeless people. As housing becomes less affordable in the future, and as Federal, State, and local social service funds continue to decline, the number of homeless persons may increase faster than other special need groups.

An advisory committee is researching alternatives and will make recommendations to the Marin County Board of Supervisors on the location and design of a permanent emergency shelter. The committee is identifying sites in five areas of the County for a decentralized shelter program. In each area a location for a 20 to 25 person shelter will be identified and funding and programs will be provided. The Committee expects to finish its work by September 1993. The County has ensured that there are sites with appropriate zoning and adequate infrastructure to allow the location, construction, and operation of emergency shelters and transitional housing facilities (see Inventory of Emergency Shelter Sites).

7. Planning Implications of the Projections

These projections suggest that a number of housing issues will need to be addressed in Marin. Additional workers will need affordable housing if they are to live and work in Marin. The expanding population of older persons in Marin will require additional services to meet their special needs. A further reduction in the average household size implies that large houses will tend to be underutilized. Thus, there will likely be a need for more shared housing programs and the construction of smaller, less expensive houses and small apartments, including some with congregate care for elderly persons.

C. HOUSING ISSUES

1. ABAG Regional Housing Needs Determinations

State legislation enacted in 1980 (Chapter 1143, Statutes of 1980; AB 2853) requires the Association of Bay Area Governments (ABAG) to determine the existing and projected Bay Area regional housing needs for persons at all income levels. The factors used by ABAG in determining regional housing needs include market demand for housing and employment opportunities. ABAG determines each county's and city's share of the regional housing needs.

State law does not require local housing elements and local housing programs to "meet" their share of the regional housing needs. Meeting the regional housing need may exceed the community's abilities to finance or design such housing programs, especially those to assist lower income households. However, if a locality does not meet its fair share of housing need, it may jeopardize the ability of local non-profit developers to secure funding for affordable housing projects. State law does require local governments to consider these housing needs in the process of updating the Housing Element, and make a sustained and serious attempt to address housing needs.

ABAG assigns to unincorporated areas the housing needs which fall outside the sphere of influence of any city (Figure #2 shows the location of these areas). The needs originally projected by ABAG have been revised to identify Marin County as the jurisdiction responsible for meeting the needs for that portion of San Rafael's sphere of influence which is not likely to be annexed by the city between 1988-1995. The revised housing needs for the County are shown in Table 4.

2. Projected Affordable Housing Construction

As shown in Table 4, ABAG and County staff have determined that between 1988 and 1995 a total of **826** units will need to be built in order for the County to meet its share of the regional housing needs: **157** of these units will need to be affordable to very-low income households; **124** of these units will need to be affordable to low income households; **163** of these units will need to be affordable to moderate income households; and **382** of these units will need to be affordable to above moderate income households.

Table 4
REVISED REGIONAL HOUSING NEEDS
Marin County, 1988-1995

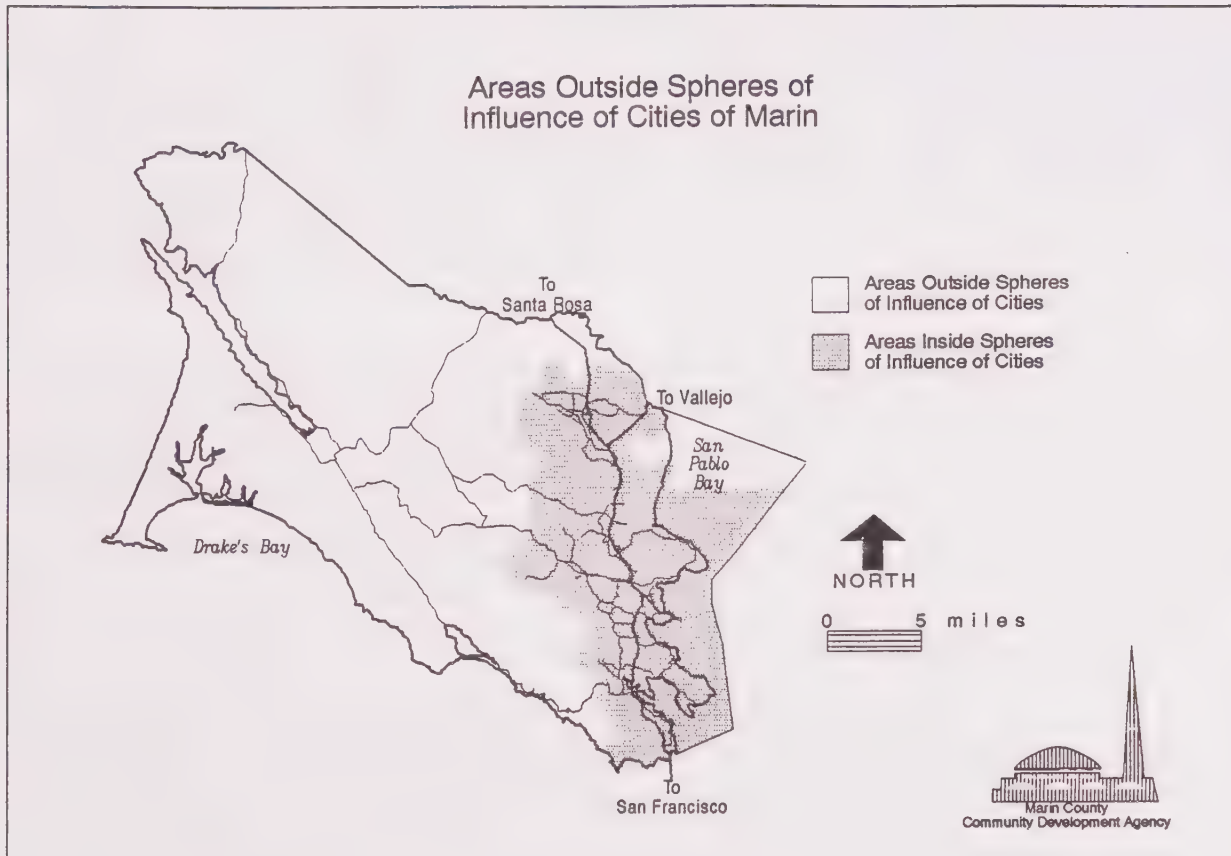
	Projected Need 1988-1990*	Projected Need 1990-1995	Alternative Zoning Need 1988-1995	Total Need 1988-1995
Total County	4,108	5,628	1,350	11,086
Unincorporated County Total**	147	641	38	826
<u>Housing Need by Income Group</u>				
Very-Low	28	122	7	157
Low	22	96	6	124
Moderate	29	127	7	163
Above Moderate	68	296	18	382

Source: ABAG Regional Housing Needs Determinations, 1989.

* Projected 1988-1990 need for the entire county includes an existing need of 597 units.

** Unincorporated county does not include areas within the SOI of any city except San Rafael.

Figure 2



The county produced 804 units²⁸ from January 1, 1988 to January 1, 1992. While most of these units were for moderate and above moderate income households, 10 units of low income housing were built (see Table 5, West Marin owner-built housing). Additionally, the County has produced 68 second units since January 1, 1988. Of these 68 second units, 5 are above moderate income, 27 are moderate income, 21 are low income and 15 are very-low income. The proportion of units within each income category are based on a second unit rental survey conducted by the Marin County Community Development Agency in 1990. It is probable that the County will meet its portion of the regional housing need for units which are affordable to all income levels.

The County expects to meet the housing needs for low and very-low income households by the development of specific projects with identified sites and by rezoning land to a density of at least 16 units per acre so that low and very low income units can be built. As shown in Table 5, the specific projects will produce an estimated **94** very low income units (plus an additional 30 potential units through the Section 202 Construction Loan Program), and **117** low income units may be constructed between 1988 and 1995. An additional **90** units of low and very-low income housing can be produced by rezoning land for multi-family housing. Therefore, the County is likely to meet its portion of the regional housing need

for very low and low income households, which is **157** units and **124** units respectively, for a total of **281** units.

Table 5 summarizes specific projects and the projected number of low and very-low income units to be produced. Each project and the number of units is listed. While only one of these projects has been completed, the West Marin owner-built housing, it is anticipated that all of the projects will be built by 1995. Following Table 5 is a brief description of each project.

Table 5

PROJECTED NUMBER OF LOW AND
VERY LOW INCOME UNITS CONSTRUCTED
Unincorporated County, 1988-1995

Income Level	Program	Number of Units
Very Low Income	Marin City USA	51
	Development @ 30 units/acre	6
	Second Units	26
	Double Unit Opportunity Program	2
	Ross Creek Apartments	10
	Total Very-Low Income Units	
	With Identifiable Sites	95
	Section 202 Construction Loan	30
	Total Very-Low Income Units	125
Low Income	Marin City USA	34
	Second Units	37
	Braun Court	12
	West Marin (owner-built housing)	10
	Bates Canyon	6
	Bolinas Land Trust	11
	Total Low Income Units with	
	Identifiable Sites	110
Additional Very Low and Low Income Units to be constructed on land to be rezoned for a density of at least 16 units per acre and on land which receives a density bonus (See Program H-1.2e <u>Affordable Multi-Family Housing through Rezoning</u> and Program H-1.1e <u>Amendments to Increase Density Bonus</u>)		90
Total Low and Very Low Income Units		325

Source: Marin County Community Development Agency, 1992

Marin City USA: In March 1992, a Master Plan for the Marin City Redevelopment project was approved. A Precise Development Plan was approved in November 1992. These documents and the Redevelopment Agency agreement with the Marin City developers regarding public financing (the Owner Participation Agreement) require that the Marin City project will provide 136 affordable units including 51 very low income units, 34 low income units and 51 moderate income units at a density of 10 units per acre. The project sponsors have purchased the project site, have received all discretionary approvals for the project, and are preparing working drawings for the project and the freeway interchange. According to financing plans as of April 1993, permanent financing for construction of all the commercial space and residential units will be acquired in the summer of 1993 from a number of private sources. The Redevelopment Agency agreed to utilize tax increment and bonding capabilities to fund housing and public improvements through a memorandum of understanding with the Marin City USA developer. Construction of both the residential and commercial portions of the project is scheduled to be completed in 1994/95.

Development @ 30 units per acre: There is currently a site available to accommodate six multi-family units at a density of 30 units per acre, a density at which very low income housing may be produced without subsidies.

Second Units: Second units may be developed on vacant single family lots as well as on developed lots. Based on the number of second units developed between 1988 and 1990, it has been estimated that 119 second units will be constructed between 1988 and 1995. A 1990 rent survey taken by the Marin County Community Development Agency reported the rents charged for second units and the affordability of second units to households, based on the assumption that 30% of gross income can be paid for rent. Specifically, 8% (9 units) of these second units can be afforded by above median income households, 39% (47 units) can be afforded by moderate income households, 31% (37 units) can be afforded by low-income households and 22% (26 units) can be afforded by very low-income households. These figures assume a one person household. Second units would be even more affordable to two person households (if household income were higher).

Ross Creek Apartments: Ross Creek Apartments, a 10-unit apartment complex for developmentally disabled adults is proposed in the Kentfield area. The site is currently zoned for 20 units per acre. The project sponsor, North Bay Rehabilitation Services, has applied for funding from the Community Development Block Grant program.

Section 202 Construction Loan: A number of local non-profit organizations are developing plans for other housing projects which may receive funding through the Section 202 Construction Loan Program. The West Marin Affordable Housing Association is planning a 10 to 20 unit very low income housing project in West Marin and Catholic Charities is planning to build a 20 to 50 unit very low income housing project. These projects are not included in the regional housing needs determination because the sites for them have not been chosen.

Braun Court: In 1990, a Master Plan was approved for Braun Court, a 30-unit project on a parcel rezoned to allow 5.8 units per acre (it was originally zoned for a density of 3.3 units per acre). The project was also granted a density bonus of 25% over the allowed density. Twelve units will be available for low income households, and 7 units will be available to moderate income households. This project has received assistance from the County's Housing Trust Fund, the CDBG program, the Marin Community Foundation and other private sources. The CDBG program is expected to contribute \$124,000 of the \$3.8 million total project cost.

West Marin Owner Built Housing: In 1989, ten units of low income owner-built housing were constructed in West Marin with assistance from the CDBG program, the County Housing Trust Fund and other sources.

Bates Canyon: Bates Canyon, a nine unit project, is proposed for construction in San Geronimo Valley. Six units will be affordable to low income seniors. The site for this project was provided by the developer in partial fulfillment of inclusionary zoning ordinance requirements. The project is also expected to receive CDBG funds.

Bolinas Land Trust: 11 units of housing affordable to low income households are proposed for construction in Bolinas. This project has received funding from the CDBG program and the County Housing Trust Fund.

3. Land Inventory

Pursuant to State law, Housing Elements are required to contain an inventory of land suitable for residential development and an analysis of the relationship of zoning and public facilities to these sites. State law also requires each locality to identify adequate sites to accommodate existing and projected needs of all economic segments of the community (California Government Code, Section 65583). In order to meet the State mandates, the County Community Development Agency researched all vacant parcels in the unincorporated area and determined the potential number of units which could be constructed based on existing zoning regulations and general plan designations. The purpose of this analysis was to compare the supply of appropriately zoned land with the County's new construction need. Table 6 shows that the County has a sufficient number of sites zoned for residential development to accommodate existing and projected housing needs for all income levels without rezoning agricultural or environmentally sensitive lands.

Table 6 summarizes the development potential of vacant parcels in unincorporated areas. Based on existing zoning regulations, general plan policies, and environmental considerations (i.e. slope, wetlands, floodplains, etc.), it is estimated that **6,096** units could be constructed on vacant parcels in unincorporated Marin County. (Total housing need for the period 1988-1995 was 826 units.) Development on these parcels will be affordable primarily to above moderate income households. However, there will most likely be some moderate income, low income and very-low income units produced on these parcels as

well. Much of the subsidized affordable housing construction in the unincorporated area occurs at densities of 5 to 16 units per acre. Table 6 shows that 194 units could be constructed on multi-family parcels at these densities. In addition, there is land available to accommodate six multi-family units at a density of 30 units per acre, a density at which very low income housing may be produced without subsidies. The County's inclusionary zoning ordinance will also result in the development of affordable moderate income units or in-lieu fees on projects of 10 or more units, regardless of density. Hence, the County has more than a sufficient amount of vacant land to meet its share of the regional housing need for all income levels.

Table 6

HOUSING UNITS POTENTIAL BASED ON VACANT LAND INVENTORY
Unincorporated County, 1992

Units per Acre	-----Zoning Designations-----				Total
	Agriculture	Residential/ Commercial	Single Family	Multi- Family	
< 1.01	284		1,567	516	2,367
1.01 to 2.00			108	163	271
2.01 to 3.00		40	715	2	757
3.01 to 4.00			4	36	40
4.01 to 5.00			1,592	11	1,603
5.01 to 6.00		6	416	32	454
6.01 to 8.00			435	4	439
8.01 to 10.00				32	32
10.01 to 12.00				18	18
12.01 to 16.00				168	108
16.01 to 29.99				1	1
30.00				6	6
Total Potential Housing Units	284	46	4,837	929	6,096

Source: Marin County Community Development Agency, March, 1992

Listed below are examples of low and very low income units that either have been, or are likely to be, produced at densities between 5 and 16 units per acre:

In 1987, 35 very low income units were constructed at a density of 6.5 units per acre in Point Reyes Station. The site was initially zoned to allow a maximum of 3.8 units per acre. It was rezoned to allow 6.5 units per acre. This project was assisted with Section 202 Construction loans and Community Development Block Grant (CDBG) funds. The CDBG program provided \$50,000 towards acquisition of the site.

Braun Court, 30-unit project which includes 12 low-income will be built at a density of 5.8 units per acre.

The Marin City USA project which includes 136 affordable units, will be built at a density of approximately 10 units per acre.

In addition to providing information regarding the inventory of land potentially available for affordable housing, State law also requires that housing elements "establish the maximum number of housing units that can be constructed, rehabilitated, and conserved over the element's planning period" (Section 65583(b)). After review of the County's quantified objectives for housing of all income levels, the following table was created to illustrate the maximum number of units that can be constructed, rehabilitated and conserved by 1995.

Table 7
HOUSING UNITS TO BE CONSTRUCTED, REHABILITATED AND CONSERVED
BY 1995

Income Category	New Construction	Rehabilitation	Conservation
Very-Low	124	50	452
Low	117	93	226
Moderate	81	500	453
Above Moderate	560	1000	N/A

4. Loss of Affordable Housing

a. Demolitions and Conversions

Out of the 24 demolition permits granted in the unincorporated area of the county between June 1, 1984 and May 20, 1989, only six of the permits specified that single family dwelling units were being demolished. This is an insignificant part of the housing stock. There were 26 conversion permits issued during this same time period for the unincorporated area of Marin County. Most of these involved the conversion of garages into unspecified uses.

Marin County has a condominium conversion ordinance which prevents the conversion of rental units to condominiums if the vacancy rate drops below 5%. The vacancy rate was between 1% and 2% between 1983 and 1988. The Housing Assistance Plan for Marin states there have been no condominium conversions during this period nor are there likely to be any in the near future. Conversion and demolition therefore have not significantly reduced the housing stock in Marin between 1983 and 1985.

b. Termination of Federal, State and Local Subsidies

Government Code Section 65583 requires each City and County to adopt analysis and programs for preserving assisted housing developments. This analysis includes research of

all housing units subsidized by Federal, State and local government at risk of losing below market rate price restrictions. No subsidized housing in the unincorporated portion of Marin falls into this category. All of the low cost housing projects in unincorporated Marin are either limited equity cooperatives, owned by a non-profit corporation, or have deed restrictions placed on their resale and are therefore not subject to conversion to market rate units.

The status and ownership of each of the four Federally subsidized housing projects in the unincorporated area were researched. The first two, Ponderosa Estates and Oak Knolls Apartments I in Marin City, are limited equity cooperatives and covered by flexible subsidy regulatory agreements. There are no remaining outside investors who have an interest in these projects who could initiate a conversion to market rate housing. Ponderosa Estates also has a 15-year Section 8 subsidy contract with the Federal Department of Housing and Urban Development which expires April 1995. HUD's present policy is to renew such contracts for five-year periods. The manager of Ponderosa Estates anticipates that before April 1995 the contract will be extended until 2000. The other two projects, West Marin Ecumenical Senior Housing in Point Reyes Station and Parnow Friendship House in Santa Venetia, are both Section 202 senior housing and are owned by non-profit organizations. Information on these projects was obtained from the Inventory of Federally Subsidized Low-Income Rental Units at Risk of Conversion published by the California Housing Partnership Corporation, 1991.

There are no projects in the unincorporated area of the County which have received funding from the State.

All of the units developed under the County inclusionary ordinance have 30 year deed restrictions on them. The deed restriction on a unit is renewed each time the unit is sold. Therefore a unit would have to be under the same ownership for 30 years in order to be converted to market rate status. The chance of this happening is highly unlikely. Information on the status of units created under the County's inclusionary ordinance was provided by Maurice Wolohan of the Marin County Housing Authority.

c. Filtering up

A major loss of affordable housing results from the "filtering up" of units to families with higher incomes (see "Constraints: Filtering Up"). Because all housing units in Marin command relatively high prices, it is very difficult for a low or moderate income family to purchase a home. When a home owned by a low or moderate income family is sold, the inflationary housing market tends to make it affordable only to households with a higher income. The County is not able to estimate the extent of filtering up because the incomes of the buyers and sellers are not known.

5. Constraints

State law requires local governments to document constraints upon the maintenance, improvement, or development of housing, including both governmental-imposed and market constraints. Where appropriate, the County is directed to remove or mitigate such constraints with programs specified in the Goals, Policies and Programs section of the Housing Element.

a. Governmental Constraints

Reduced Federal Support

The most significant constraint to providing affordable housing is the declining amount of Federal funds for housing. Most of the housing affordable to very low income households is subsidized by Federal programs. Popular programs which have long been mainstays of the Federal housing effort have either been eliminated or cut back. In an era in which many factors have increased the cost of housing, cutbacks in Federal programs have severely limited the ability of local government to assist lower income people in finding decent housing opportunities. Due to continued Federal budget deficits, it is unlikely that there will be significant increases in Federally funded housing programs in coming years.

Zoning Regulations

There are three groups of zoning districts in unincorporated Marin: agricultural, urban, and planned (for a list of permitted uses and setback requirements in selected zoning districts in the County, see Appendix F). The agricultural group consists primarily of agricultural areas characterized by low density housing. The minimum lot size ranges from two to 60 acres (except in the Suburban Agricultural and Limited Agriculture Districts which allow 7,500 square foot lots). Such large lot size requirements constrain the development of housing, but the County is committed to maintaining the viability of agriculture. It would be detrimental to the public welfare to encourage higher density development in agricultural districts (with the possible exception of Suburban Agriculture and Limited Agriculture Districts).

The urban group of zoning districts consists of One Family (R1), Two Family (R2) and Multiple Family Residence (R3) districts (the other districts in this group, Restricted Residential and Residential Estates, are variations of R1).

One-Family Residence Districts (R1 districts) are primarily comprised of single-family dwelling units. Other permitted uses include home occupations, schools, day child care centers and churches. Buildings cannot be more than 35 feet in height and must be set back from the property lines as follows:

Front yard: Minimum of 25 feet
Side yard: Minimum of six feet
Rear yard: Minimum of 20% of lot depth
(Maximum of 25 feet required)

Furthermore, the floor area of the building divided by the square footage of the lot (the "floor area ratio", or FAR) shall not exceed 0.3, and the lot can be no less than 7,500 square feet.

The zoning requirements of Two Family (R2) and Multiple Residence (R3) districts are similar to those of One Family Residence districts. A lot in an R2 district may be as small as four thousand square feet, and both two-family and one-family dwellings may be built. R2 districts allow all the same uses as R1 districts as well as the construction of two-family units (which are not allowed in R1 districts). On R3 lots, three or more dwellings are allowed, depending on the lot size. Buildings may be 45 feet in height, 10 feet higher than allowed in either R1 or R2 districts. In addition, the maximum FAR in R3 districts is 0.40. The front yard setback requirement is a minimum of 20 feet; rear yards must be no less than 15 feet, and side yards are one foot greater than those required in R1 and R2 districts for buildings more than three stories in height. The uses permitted in R3 districts are also slightly different from those permitted in R1 and R2 districts. Hospitals, group homes, and emergency shelters are all permitted in R3 districts, as well as offices and hotels.

There are two zoning districts which are often combined with the districts described previously. Agricultural and One Family Residence Districts are often combined with "B Districts", which allow for variation in lot size within the R1 and A districts from 6,000 square feet up to 10 acres. Multiple Family Residence Districts are often combined with "G Districts" which reduce the density allowed on lot: on a 26,250 square foot lot, a maximum of 26 units would be allowed in an R3 District, 17 units in an R3-G1 District, 13 units in an R3-G2 district, 10 units in an R3-G3 district, and seven units in an R3-G4 District.

Planned Districts allow more flexible site designs than the R1, R2, and R3 districts. The sites within planned districts have particular characteristics such as slope instability, steep topography and/or other constraints. Flexibility is permitted to allow house design and siting that respects the natural features of the site.

There are three different planned districts: Residential Single Family (RSP), Residential Multiple (RMP), and Agricultural Residential (ARP). The uses permitted in each of these districts are essentially the same as those permitted in equivalent districts in the agricultural and urban groups. RSP districts allow the same uses allowed in R1 districts, RMP districts allow uses permitted in R2 and R3 districts, and ARP districts allow uses consistent with other agricultural districts including the construction of farm worker housing. The maximum number of units allowed on each lot varies from 0.01 per acre up to 30 per acre, depending on the special characteristics of an area. On steep slopes, only one unit may be

allowed for every four acres of land; hence the area may be zoned RSP 0.25. Lots are often not built to the maximum density specified by the zoning because of environmental considerations and other factors which are analyzed in the context of a specific project proposal. The Community Development Element establishes an upper and lower limit to development in areas designated for residential land use. Zoning consistent with these designations is within this range.

For clustered developments within planned districts, the County requires areas of the site outside the developed portion be restricted by private open space easements to ensure that development does not exceed allowable densities. The County also requires that each residential subdivision contribute to the provision of parkland areas. Currently, the County's zoning ordinance does not contain any growth management requirements.

Subsequent to obtaining a use permit, second units are allowed in various parts of unincorporated Marin. New second units can have a maximum floor area of 750 square feet, and they must have two off-street parking spaces, adequate water supply and sanitary services. The units must also meet all setback and lot coverage requirements of the zoning district in which they are located.

The County has zoning regulations similar to other jurisdictions in Marin. As shown in Table 8, all of the setback, lot size, and building height restrictions of a typical zoning district (R1-B1) are within the range of restrictions imposed by other jurisdictions.

Table 8
COMPARISON OF ZONING REQUIREMENTS FOR SINGLE FAMILY
RESIDENTIAL DISTRICTS
Selected Jurisdictions in Marin County, 1987

Jurisdiction	Zone	Area	Lot Size		Set Backs			
			Width	Depth	Front	Rear	Side	Height
Marin County	R-1:B-1	6,000 sf	50 ft	varies	25 ft	varies	5 ft	35 ft
Ross	R-1	5,000 sf	50 ft	100 ft	25 ft	40 ft	15 ft	30 ft
Novato	R-1:B-1	6,000 sf	50 ft	75 ft	25 ft	10 ft	5-6 ft	30 ft
San Rafael	R-1	5,000 sf	50 ft	varies	15 ft	10 ft	3-5 ft	30 ft
Mill Valley	RS-6	6,000 sf	60 ft	varies	15 ft	15 ft	5 ft	30 ft
Fairfax	RD-5.57	5,500 sf	60 ft	varies	6 ft	6 ft	5 ft	35 ft

Source: Ross General Plan, 1988

Time Required for Processing Applications

The County reviews residential development projects for compliance with State environmental quality regulations and local regulations which promote, preserve and enhance the public welfare. Many small projects which are subject to environmental

review pursuant to the California Environmental Quality Act are often determined to have only minor adverse impacts which can be reduced to a less than significant level or eliminated by mitigations incorporated into the project design. Environmental review for projects which have no significant impacts or which mitigate impacts to less than significance normally takes less than 60 days to accomplish, and is required by law to be completed in no more than 105 days from the time a completed application is submitted to the Community Development Agency. If the development 1) has potential environmental impacts which are not determined to be mitigated to less than significant levels, or 2) requires further study to determine the significant impacts, appropriate mitigations and/or project alternatives, processing time may take longer depending on the complexity of the project and the scope of impacts, mitigations, and alternatives to be analyzed. State law requires that all development projects be approved or denied within six months from the date a completed application was submitted to the Community Development Agency if a negative declaration of environmental impact is prepared and processed. Environmental review and action on a development project must occur within one year if the project has significant impacts and an Environmental Impact Report is prepared.

The County has taken some steps to mitigate the time constraints on housing development resulting from environmental review. The Community Development Agency has prepared an Environmental Review Fact Sheet (Appendix G) which explains the review process in a clear, concise manner so that applicants can easily understand the process. The County also encourages applicants to schedule a pre-application consultation to discuss the development concept with planning staff prior to actual submittal. The applicant benefits from the pre-application meeting by learning about local plans, codes, infrastructure availability and other matters. Finally, the County helps speed up the process by reviewing the merits of a project and conducting environmental review concurrently.

Time requirements for review of the merits of a project are contingent on project complexity and its environmental impacts. If a house design on a lot in a zoning district in either the agricultural or urban zoning districts meets County standards and Uniform Building Codes, a building permit can be granted without further review. Processing times are usually between one and three weeks after the completed application has been submitted. (If an applicant submits an incomplete application, notification is given within 30 days after submittal that the application was determined to be incomplete.)

Development on large parcels in planned districts often begins with the submittal and approval of a Master Plan. A Master Plan consists of written and graphic material setting forth a general development scheme. The findings required by review of Master Plans ensure consistency between the project and the goals and policies of the Countywide Plan and Community Plans. Generally, final action is taken by the Board of Supervisors within 10 or 12 weeks from the date when environmental review is completed. Master Plan approval for large or complicated development projects will take longer to process.

Subsequent to obtaining Master Plan approval, residential developments require submittal and approval of Precise Development Plans, setting forth in much greater detail the

configuration of development in the subdivision. Final action on Precise Development Plans is usually taken between four and six weeks after the application is determined to be complete. The subdivision of property also requires submittal and approval of both a Tentative and Final Map which primarily serve to locate existing and proposed boundaries of all lots. Tentative Maps are often submitted concurrently with Precise Development Plans. Generally, action on a Tentative Map is taken by the Planning Director, Planning Commission, or Board of Supervisors within 50 days after the application is determined to be complete; action on a Final Map is generally taken after the conditions of project approval imposed on the Tentative Map application by the Community Development Agency are determined to be fulfilled. After obtaining approval of Precise Development Plans and a Final Map, developers normally apply for Building Permits. Construction may begin after a Building Permit has been secured.

Construction of individual residential units in planned districts normally does not require submittal and approval of Master Plans, Precise Development Plans, Tentative Maps or Final Maps because these construction projects tend to be smaller and less complex. Residential construction projects on individual lots are normally required to submit and obtain approval of Design Review applications before applying for a building permit. With Design Reviews, as with Master Plans, specific findings must be made before projects are approved. The findings ensure consistency between development and the goals and policies of Community Plans and the Countywide Plan. Most Design Reviews are processed administratively (i.e. no public hearing). If a residential project in a planned zoning district will raise significant policy questions, substantial public controversy, or if the application is submitted with another permit application that requires a public hearing, that project may go to a public hearing before the Planning Commission.

Work determined by the Planning Director to be minor or incidental and within the intent and objectives of design review may be processed as a design review waiver. Most rehabilitation projects would be processed as design review waivers. Waivers are processed as an administrative action and the review procedure is not as extensive as for design review. Generally, action is taken on a design review or design review waiver application within two to three weeks from the date the application is deemed complete. After the Design Review or Design Review Waiver is approved, a Building Permit is required before construction may begin.

As with environmental review, the Community Development Agency has taken steps to reduce the time constraints imposed by review of projects in terms of their compliance with Countywide Plan and Community Plan goals and policies. Encouraging pre-application consultation with both Community Development Agency staff and members of community groups that may have an interest in the project helps developers understand local plans, codes, and other items of importance to planners and community members who may be reviewing the application. Staff and community members may be able to suggest changes in the project to help it meet community objectives, thereby facilitating the review process. The Community Development Agency has prepared a number of summary "Fact Sheets" which explain the review process, submittal requirements, and the time frame for

processing permits including Design Reviews, Master Plans, Coastal Permits, Variances, and Second Unit Use Permits. Due to the lack of affordable housing and the fact that permit review can increase the costs of housing construction, there is a need to implement additional programs such as giving priority to processing permits of affordable housing developments, and computerizing environmental, zoning, and permit history data at the parcel level to further reduce the time required for research and review of residential development applications.

Development Standards

In addition to zoning and subdivision regulations and the policies of the Countywide Plan and Community Plans, the County has established Development Standards which specify standards of improvements and construction for the development of land within unincorporated areas of Marin. Residential roads are required to be of a certain width, driveways must be a certain length, etc. To analyze whether or not the development standards of the County are potential or actual constraints to the development of housing, they were compared with development standards of cities within the county. In each of the areas that were tested, County standards do not appear to be significantly different from other jurisdictions in Marin. For example the County requires the centerline radii of roads to be not less 75 feet on most roads, which is no different from standards in the City of Novato or San Rafael. Likewise, curbing sidewalk, transit facility, street width, and utility standards for the County were not significantly different from those required by the City of Novato or San Rafael. It may in fact be better for Marin to increase the size of its roads so that they meet Federal standards, thereby becoming eligible for Federal funding of transportation projects²⁹.

However, given the lack of affordable housing in Marin, there is a need to consider amending development standards to facilitate development and improvement of housing. For instance, allowing asphalt curbs or the integration of curbs and sidewalks may reduce the costs of residential development, thereby making housing more affordable.

Parking requirements can also add to the cost and difficulty of developing affordable housing projects. Flexibility in applying these requirements could make development easier and reduce costs. It may be possible for affordable housing project sponsors to demonstrate that the County's standard parking requirements should be reduced, that off-site parking can be provided or that some other compromise in implementing the standards can make a project feasible or reduce costs without burdening the immediate neighborhood with excessive on-street parking.

Permit Review Fees

Since the passage of Proposition 13 (1978), government agencies have increasingly assessed fees to recover the costs of providing services. County permit fees have risen as the costs of reviewing permits and plans have increased. According to the figures in Table 9, the County has the highest permit review fees of any jurisdiction in Marin. The Board

of Supervisors has directed the Community Development Agency to recover 75% of the cost of processing applications.

Table 9
COMPARISON OF PERMIT REVIEW FEES
Selected Jurisdictions in Marin County * 1987

Jurisdiction	Use Permit	Zoning Amend	Tentative Map	Final Map	Lot Line Adjustment	Initial Study	Variance	Appeal
Marin County	\$675	\$850	\$2,200	\$2,420	\$1,000	\$140	\$300	\$150
Novato	\$175	\$550	\$750	\$1,100	\$225	\$375	\$165	\$100
Ross**	\$300	\$300	\$300	\$500	\$400	\$300	\$100	\$50
San Rafael	\$350	\$350	\$625	\$1,550	\$750	\$175	\$225	\$75
Belvedere	\$150	\$150	\$250	\$500	\$0	\$150	\$140	\$75
Tiburon	\$200	\$500	\$750	\$1,000	\$500	\$250	\$50+	\$250
Mill Valley	\$425	\$425	\$850	\$975	\$0	\$225	\$225	\$50
Larkspur	\$200	\$200	\$250	\$300	\$250	\$100	\$100	\$0
Sausalito	\$300	\$400	\$55/hr	\$700	\$100	\$200	\$300	\$100

* Fees are generalized to provide a comparison (fees can vary depending on the size of the project, other approvals needed, other department review, etc).

** Fees for the Town of Ross reflect updated fees as of March, 1988

The County has adopted Policy H-1.10 of the Housing Element, which establishes a waiver of all planning fees for affordable housing units. The fee waiver removes this constraint to the development of housing.

Building Codes

The State requires each jurisdiction to adopt a set of building code requirements to ensure a minimum level of quality in new construction. Local jurisdictions have the option to either adopt the standards contained in the State Uniform Building Code (UBC), or they may adopt more stringent construction standards. The development of housing may be constrained if the more stringent standards increase the cost of construction, design, materials or labor.

The Marin County Code contains several amendments or changes to the UBC. The modifications that would likely increase construction costs (hence impose the greatest constraint) relate to fire protection. For example, Section 19.04.110 of the Marin County Code (1987) states, "Usable space under the first story shall be separated from the unusable space by walls or partitions and shall be protected on the side of the usable space as required for one-hour fire-resistive construction..." Although the County's building code requirements may increase construction costs to a degree, the benefit of better fire protection outweighs the marginal increase in construction costs.

Building Code Enforcement

There are typically five inspections performed during the construction of a house in Marin. First, the foundation is inspected after excavations for footings are complete and any required reinforcing is in place. Second, the construction is inspected after all in-slab or under-floor building service equipment, conduit, piping accessories, and other ancillary equipment items are in place. The third inspection is done after the roof, framing, fire blocking and bracing are in place, all pipes, chimneys, and vents are complete, and the rough electrical, plumbing and heating wires, pipes and ducts are approved. Next, the lath and/or gypsum board inspection is performed after all lath and gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished. Finally, construction is inspected after finished grading and the building is completed and ready for occupancy.

Building inspection of existing units takes place during additional construction or rehabilitation on a unit which requires a building permit. During such inspections, the only portion of the building required to meet current UBC standards is that portion which is being constructed or rehabilitated. (All buildings under construction or rehabilitation must have a fire alarm installed as required by State fire code. However, this does not place a significant financial burden on the property owner.) Since inspections are safeguards to ensure that construction complies with approved plans and State health and safety regulations, County building code enforcement procedures do not significantly constrain the development of housing.

Water Supply

Water is supplied to properties in the unincorporated area by special districts and private wells. A water supply is required before building permits are issued for new construction. If there is a lack of water supply because of drought or other conditions, special districts which supply water can constrain development within their boundaries by placing moratoriums on the provision of new services. The Bolinas Community Public Utilities District (serving 519 connections) has had a moratorium in effect since 1971, and the moratorium will probably be in effect until the district's storage capacity is expanded. While the Bolinas Community Plan (1985) projects capacity expansion before 1990, these projections were overly optimistic. Capacity expansion has not occurred and may not take place within the time frame of this Element. From a countywide perspective, this is not considered a significant constraint due to the relatively small amount of potential development in the community of Bolinas.

Article 34 and Other Ballot Measures

Part of the State Constitution, Article 34 requires that housing projects sponsored by a public body be approved by a majority of the residents in the jurisdiction. Unpopularity of publicly-sponsored projects may result in their being denied via Article 34 referendum. In Marin, several senior housing projects and other affordable housing projects have been

placed on local ballots according to the provisions of Article 34; all of these projects were approved.

Another constraint to the development of affordable housing is through a more general ballot initiative process. Measures can be placed on local ballots which allow voters to effectively deny approval of affordable housing projects. For instance, in 1985, voters in Corte Madera approved an initiative which scaled down the size of an affordable housing project to the point that it was not cost-effective for the non-profit developers to build.

b. Market Constraints

Expensive Land

The relative scarcity of buildable parcels, especially in southern Marin, coupled with the high demand for sites has driven prices to very high levels. According to statistics collected by the Marin County Community Development Agency, lots zoned for single family development cost an average \$113,750 per potential unit between 1987 and 1989, while multifamily lots sold for \$92,300 per potential unit. With funds from Community Development Block Grants and a housing trust fund (using in-lieu fees collected as a result of the inclusionary zoning ordinance), the County is reducing costs of land acquisition for some lower income households; these programs should be maintained or expanded. There is also a need to make surplus public land available for affordable housing development.

Expensive Site Preparation

As buildable sites become increasingly scarce in Marin, site preparation costs rise dramatically. Remaining parcels tend to have a higher number of physical constraints, such as steep and unstable slopes which are often expensive to mitigate. Appendix C contains an inventory of the cost of construction of a typical two-bedroom house.

Availability of Financing

In order to qualify for a mortgage loan, an applicant must be able to prove a degree of financial stability. Generally as the amount of mortgages increase, the more proof lending institutions require. In October 1989, representatives from a number of banks in Marin as well as community leaders were interviewed to assess whether or not the requirements of lending institutions are an actual or potential constraint to the development of housing. It was found that mortgage loans and rehabilitation loans are generally available, and if there are mortgage deficient areas in the county, it is not due to discriminatory practices by mortgage lenders, but rather the financial capabilities of individuals. Households qualifying for mortgages are generally able to obtain them. In response to high housing costs, some lenders were providing mortgages of 95% of the value of the house in 1989, a significantly higher percentage than normally allowed (80%).

Filtering Up

Filtering up is the term which describes the process of increasingly affluent families occupying a house during its usable life. Traditionally, as a family's income rises, the family chooses to move to a more expensive house, selling their existing house to a less affluent family.

Marin, on the other hand, has such a high demand for housing that households are willing to pay increasingly higher prices to live here. Typically, a house in Marin is sold to a household whose income is higher than that of the existing resident. A Marin house "filters up" to ever more affluent families during its usable life.

IV. OBJECTIVES, POLICIES, AND IMPLEMENTATION PROGRAMS

Marin's housing objectives, policies and programs are designed to meet the needs of the general population as well as groups with special needs. The County's priority is to provide housing affordable to people of very low, low, and moderate income through a variety of means, including encouraging multi-family attached housing development and mixed commercial and residential development.

In the following section, specific policies and programs are described which have addressed and will continue to address these needs. The overall housing objectives of the County are given in general terms, followed by policies that specify the direction of the County's housing programs. These programs include land use and development controls, regulatory concessions and incentives, and Federal and State financing opportunities. When appropriate, listed with each program is the agency responsible for implementation, the date of implementation, and the number of units which are projected to be developed through the program.

When the impact of a program is projected into the future, it is necessary to make some assumptions about future conditions. For example, the County assumes that a given Federal housing program will continue to be funded at current levels, unless stated otherwise. Assumptions are given for each program to which they apply.

Although the Housing Element contains information about the entire county, the County Government has jurisdiction only over unincorporated areas. Therefore, the policies, and programs in this Element will apply only to unincorporated parts of Marin. Each city will specify its policies and programs in its Housing Element.

Objective H-1. Affordable Housing. To encourage the preservation of existing affordable housing and the development of new affordable housing.

Policy H-1.1 Maintain Ordinances Which Encourage Affordable Housing Development. Through public education and participation at public hearings on amendments to the Zoning Ordinance and General Plan, the County shall support the maintenance and strengthening of ordinances which encourage the development of affordable housing.

Program-H-1.1a Inclusionary Units. The County requires that 10% of the total number of units of all new developments containing 10 or more units shall be affordable by households of low or moderate income. The County's primary intent is the construction of units on-site. If that is not practical, the County will allow other alternatives of equal value such as in-lieu fees and construction of units off-site. Responsible Agencies: Marin County Community

Development Agency, Marin County Department of Public Works.

Program H-1.1b Inclusionary Lots. The County requires that 10% of the total number of developable lots of all new subdivisions of 10 or more lots shall be made available for the production of affordable housing. The County's primary intent is the construction of units on-site. If that is not practical, the County will allow other alternatives of equal value such as in-lieu fees and construction of units off-site. Responsible Agencies: Marin County Community Development Agency, Marin County Department of Public Works.

Program H-1.1c Allocation of In-Lieu Fees. The County shall continue to allocate in-lieu fees to maximize the development and conservation of affordable housing countywide. The County allocated \$90,000 in 1988 to assist the construction of 11 affordable senior housing units in Belvedere. The County allocated \$600,000 in 1989 to develop or conserve 40 affordable units in Larkspur, 86 affordable units in Novato, 92 affordable units in San Rafael, and 72 affordable units in unincorporated areas. The Board of Supervisors allocated an additional \$416,500 in 1990 to assist various types of housing projects countywide. These projects include Buckelew/Lakeside House, a group home for six adults; 4 affordable units in Bolinas; Ecology House, an 11 unit affordable housing project; Palm Lane Mobile Home Park; and the Rental Deposit Guarantee Program, which is designed to help prevent homelessness.

Program H-1.1d Amendments to Increase Inclusionary Requirements. The County Planning Commission and Board of Supervisors shall hold public hearings to consider amending the zoning ordinance for inclusionary requirements to apply to all developments of two or more units or lots, with a sliding scale of in lieu fees for developments of less than ten units and a requirement that 15% of the units or lots in new developments of 10 units or more be affordable by households of low or moderate income. Responsible Agencies: Marin County Community Development Agency, Marin County Counsel.

Program H-1.1e Amendments to Increase Density Bonus. The County Planning Commission and Board of Supervisors shall hold public hearings to consider amending the zoning ordinance to allow an increase in the density bonus from the present 10% to a maximum of 25% for residential developments which provide housing units

affordable to 100% low income or 50% very low income households, if the proposed density (including the density bonus) conforms to all applicable Countywide Plan Policies, including traffic standards, environmental standards, and general plan designations. Responsible Agencies: Marin County Community Development Agency, Marin County Counsel.

Program H-1.1f

Additional In-Lieu Fees. The County shall study the feasibility and relationship to the County's housing needs of establishing an in-lieu fee on new construction of housing on existing lots, based on the value of the housing. Responsible Agencies: Marin County Community Development Agency, Marin County Counsel.

Program H-1.1g

Second Units. Using precise criteria and assuming neighborhood acceptance, the County permits second units in selected single-family areas with an emphasis on meeting the needs of very low, low and moderate income housing. Responsible Agencies: Marin County Community Development Agency, Marin County Department of Public Works.

Program H-1.1h

Second Unit Rental Rate Survey. The County should periodically (once every two years) update its second unit rental survey. The County should also revise the application form for second unit use permits to ask the applicant to state the range of rents to be charged for all new second units and legalization of existing second units.

Policy H-1.2

Develop New Ordinances Which Encourage Affordable Housing Production. At every feasible opportunity, the County should develop new zoning provisions which encourage the development of affordable housing.

Program H-1.2a

Mixed Commercial Uses. The County has surveyed potential constraints and mitigation measures to allowing development of affordable housing on top of existing commercial buildings and shall carry out a work program to implement measures which will mitigate existing constraints and otherwise encourage development of such housing. The work program shall include review of the zoning ordinance to make revisions which would create incentives for including housing in zoning districts which allow mixed use.

Program H-1.2b

Housing Mitigation Fees. Community Development Agency staff has presented recommendations to the Planning Commission

on the feasibility of developing a housing linkage program which would require developers of commercial/business property to make a financial contribution for the development of housing affordable to prospective employees. The County should conduct a study analyzing the linkage between the jobs generated by commercial development and the need for affordable housing as a basis for drafting an ordinance which would authorize the collection of linkage fees.

Program H-1.2 c Housing Opportunity Areas. The maximum floor area ratio (FAR) for historic legal lots which do not meet current minimum lot size requirements is 0.3 (30%). Variances to the aforementioned maximum FAR to permit larger houses to be constructed shall be discouraged.

Program H-1.2d Rental Housing Zoning Districts. The County should consider establishing zoning districts which encourage the development of rental units.

Program H-1.2e Affordable Multifamily Housing through Rezoning. The Community Development Element of the Countywide Plan includes land use designations of parcels to allow construction of up to 80 units of low and very low income housing at a density of 16 units per acre. Rezoning for consistency with these designations will be scheduled after adoption of the Countywide Plan.

Policy H-1.3 **Redevelopment Assistance.** The County's Redevelopment Agency shall continue to provide technical assistance to organizations involved in the redevelopment of the Marin City Redevelopment Area. The Redevelopment Agency shall continue to use its authority to allocate and administer the Agency's trust fund, to issue bonds, establish special tax assessment districts, and use tax increment funds and other loans and grants to provide financial assistance to projects in the Redevelopment Area and the unincorporated County. Quantified Objective: 40 very low income units, 40 low income units, and 40 moderate income units in the project area. An additional 10 low income and 10 very low income units Countywide will be provided through the housing trust fund.

Policy H-1.4 **Utilize Housing Assistance Programs.** The County Housing Authority, Community Development Block Grant, and Planning staff should continue to make use of Federal, State, and local

mortgage assistance, rehabilitation loan subsidy, and rental assistance programs.

Program H-1.4a

Mortgage Assistance. Five-year (1990-1995) targets for the on-going mortgage assistance programs in the unincorporated portion of the County include:

Community Development Block Grants.

Administered by the Marin County Community Development Agency, this federally funded set of programs will continue to be a major contributor to affordable housing development in Marin. Quantified objectives are: eight units will receive site acquisition assistance, 25 units will receive building acquisition assistance, and 100 units will receive feasibility study and predevelopment cost assistance. This assumes that the 1984-1989 distribution of recipients will continue.

Program H-1.4b

Rental Assistance. Five-year (1990-1995) targets for the on-going rental assistance programs in the unincorporated portion of the county include:

1) Section 8 Rental Assistance.

This program which is administered by the Marin County Housing Authority, subsidizes rental payments for lower income households in units with rents which fall within a specified range. Quantified objectives of this program are: 34 households will continue to receive assistance. This assumes that the 1984-1989 distribution of recipients will continue.

2) Project Independence.

This program, also administered by the Marin County Housing Authority, is a Section 8 Rental Assistance Program for persons who are physically, emotionally, or developmentally disabled. Quantified objectives for this program are: two households will continue to receive assistance. This assumes that the 1984-1989 distribution of recipients will continue.

3) Voucher Housing Assistance Payments Program.

This program provides rental assistance to lower income households. It is administered by the Marin County Housing Authority. Quantified objectives are: nine units will continue to receive funding and one additional unit is expected to receive funding. This assumes that the 1984-1989 distribution of recipients will continue.

4) Rental Deposit Guarantee Program.

With funds generated through the Inclusionary Zoning Ordinance, the County Community Development Agency shall favorably consider a program guaranteeing security deposits of low and very low income households. Quantified objectives are 26 low income units and 26 very low income units including two very low income units for seniors and one unit for a large family.

Program H-1.4c

New Construction. Five-year (1990-1995) targets for on-going programs which apply to the construction of new units in the unincorporated portion of the county include:

1) Inclusionary Ordinance.

This program is administered by the Marin County Community Development Agency. Quantified objectives for the program are: 34 units, and \$1,250,000 of in lieu housing fees. This projection assumes the level of construction activity will be similar to the period between 1984 and 1989.

2) Second Unit Ordinance.

Administered by the Marin County Community Development Agency, the quantified objectives of this program are 119 additional units. This projection assumes that the same number of second-units will be constructed in the next five years as were approved in the previous two years based on the Second Unit Report and Rent Survey conducted by the Marin County Community Development Agency in 1990.

3) Double Unit Opportunity Program.

This program, administered by the Marin County Housing Authority, provides assistance in the construction of second units. Quantified objectives are two units. This projection assumes that the 1984-1989 distribution of recipients across Marin will continue.

4) Section 202 Construction Loans.

This program provides direct loans to non-profit organizations such as the Ecumenical Association for Housing for the construction of affordable units. The County has participated in this program by making surplus public land available at below market rates, and processing applications within the time constraints established by the U.S. Department of Housing and Urban Development. Quantified objectives for this program are 30 units. This projection assumes that the distribution of the 300

additional units which are expected to receive funding will reflect 1984-1989 trends.

Program H-1.4d

Rehabilitation Assistance. Five-year (1990-1995) targets for on-going and new rehabilitation assistance programs include:

1) Residential Rehabilitation Loan Program.

This program provides technical assistance and low interest loans to qualified homeowners to rehabilitate substandard housing. It is administered by the Marin County Housing Authority, and the quantified objectives are 60 units in the unincorporated part of the county. This assumes that the distribution of the 150 additional units will reflect 1984-1989 trends.

2) Public Housing Modernization.

This program, administered by the Marin County Housing Authority, provides rehabilitation funds for housing owned by the Housing Authority. Quantified objectives are: \$200,000 will be used to rehabilitate 20 existing units in the unincorporated portion of the county. This projection assumes the distribution of recipients will be similar to the period between 1984 and 1989.

3) Home Equity Conversion.

This program is administered by the Family Services Agency. It provides funds to elderly persons based on the value of their home. Quantified objectives are six to 12 units per year. This projection assumes a slightly increasing number of elderly households participating in the program each year.

4) Energy Conservation.

PG&E and the Marin Citizens for Energy Planning administer a variety of energy conservation programs including weatherization of lower income units. Quantified objectives for this program are 270 units. This projection assumes the distribution of recipients will reflect 1984-1989 trends.

Program H-1.4e

New State and Federal Programs. The Housing Authority is following new State and Federal housing programs such as the Deferred Payment Rehabilitation Program which will provide low interest loans for rehabilitation of affordable housing. The County will apply for these funds as they become available.

Program H-1.4f

Conservation of Existing Affordable Units. The County implemented a number of programs prior to the 1984 Element which provided affordable housing throughout the 1984-1989

time period including the Mortgage Revenue Bond, Public Housing Modernization and Section 202 programs. It was estimated that the County maintained the affordability of 672 units between 1984 and 1989. It is further projected that 1,131 affordable units will be conserved between 1990 and 1995.

Program H-1.4g

Private Funding. The County shall continue to coordinate its resources with private funds for the development of affordable housing, such as those administered by the Marin Community Foundation.

Policy H-1.5

Condominium Conversion. Except for limited equity cooperatives and other innovative housing which is affordable to low and moderate-income persons, the County prohibits the conversion of apartment units to condominiums when a housing emergency exists. A housing emergency exists if there is a countywide vacancy rate of 5% or lower, and less than 25% of the total housing stock is multifamily rental units. When no housing emergency exists, conversions may be allowed if the following provisions are made: 1) units for low and moderate income households are provided, 2) converted units are upgraded to current UBC standards, and 3) adequate notification and relocation assistance are provided by the developer to existing tenants. Approximately 195 rental units have been conserved between 1984 and 1989; a projected 195 rental units will be conserved between 1990 and 1995.

Policy H-1.6

Office Conversion. Community Development Agency staff has researched the extent of the loss of housing due to the conversion of units from residential to commercial use and has found that there is no threat to the housing stock from conversion of housing units to commercial use.

Policy H-1.7

Shared Housing. The County shall encourage the provision of housing for low and moderate income households through shared and cooperative living arrangements.

Program H-1.7a

Encourage and Coordinate with Existing House Sharing Programs. The County shall support programs to facilitate house sharing in new and existing units. Community Development Agency staff shall continue to review applications by non-profit groups sponsoring house sharing programs for funding through the County's Housing Trust Fund.

- Program H-1.7b** Encourage the Construction of Shared Housing Units. The County shall support the construction of new shared housing units with funding assistance if appropriate and by facilitating the approval process.
- Program H-1.7c** Encourage Cohousing/Village Cluster Developments. The County shall encourage cohousing/village cluster developments in Residential Multiple Planned Districts and shall consider rezoning parcels on which such developments are proposed to a higher density to support this type of project.
- Policy H-1.8** **Mobile Homes.** The County shall continue to preserve existing affordable mobile home parks by supporting with funding and technical assistance the floodproofing of the Palm Lane mobile home park in order to conserve the existing affordable housing. Community Development Agency staff shall inventory and identify sites that may be appropriate for the development of new mobile home parks.
- Policy H-1.9** **State Mandated Density Bonus.** Community Development Agency staff has presented recommendations to the Planning Commission on a draft zoning amendment to meet the state requirement for granting a 25% density bonus over the otherwise maximum allowable density for housing developments of 5 or more units which provide: 1) 20% of total units for lower income households, or 2) 10% of the total units for very-low income households, or 3) 50% of the total units for seniors. In addition, staff shall work with non-profit and market rate developers to determine what other incentives are needed to encourage the provision of affordable units under the density bonus program. The Planning Commission and Board of Supervisors shall hold public hearings on amendments to the zoning ordinance to implement this policy.
- Policy H-1.10** **Waiver of Permit Fees.** The County shall waive all planning fees for that portion of a project that provides housing which is affordable to very low, low, or moderate income households. Responsible Agency: Marin County Community Development Agency.
- Policy H-1.11** **Expedite Permit Review.** Before June 1, 1992, the County Community Development Agency shall designate staff to expedite processing of permit applications for housing projects which provide at least 50% of the units affordable to moderate income and below moderate income households.

Policy H-1.12

Consider Amending Development Standards. Before June 1, 1992, County Planning staff will meet with County Public Works Department staff to consider amending Development Standards which unnecessarily contribute to the cost of housing development. Where Development Standards are found to contribute to the cost of residential development unnecessarily, County Planning staff shall recommend to the Planning Commission appropriate amendments which will reduce the cost of housing development.

Policy H-1.13

Assistance to Non-Profits. The County shall continue to provide financial and technical assistance to non-profit groups organized to encourage the provision of affordable housing. Assistance shall include providing notices of zoning ordinance and general plan amendments; on request, providing copies of the county's semiannual inventory of proposed development in paper form or on computer diskette free of charge; processing development permits within the time constraints of Federal and State funding requirements; and offering surplus public land for sale or lease to non-profit housing organizations for the production of affordable housing at below market rates. The County shall also continue to allocate existing financial assistance programs to non-profit housing developers including Housing Trust funds and Community Development Block Grants. The County will also explore any new funding sources.

Policy H-1.14

Density Ranges. Density ranges shown on the land use policy maps in the Community Development Element of the Countywide Plan establish upper and lower limits for residential zoning density consistent with those land use designations.

Policy H-1.15

Surplus Public Land. Before December 31, 1993, County Community Development Agency staff shall inventory public vacant land and currently utilized public sites that may be better used for affordable housing or offer a shared use. Community Development Agency staff shall determine the development potential on each parcel, and survey existing and projected uses on those parcels which may have value for affordable housing development. A report and recommendations will be presented to the Planning Commission and Board of Supervisors based on the findings of this research.

Policy H-1.16

Affordable Housing Sites. Before December 31, 1993, Community Development Agency staff shall survey vacant

parcels in the unincorporated area of the county and provide non-profit developers with a list of sites that may be appropriate for affordable housing development.

Policy H-1.17

Encourage Housing for Special Populations. The County shall encourage programs which respond to the special housing needs of female-headed households, large families, the elderly, the handicapped, farm workers and the homeless.

Program H-1.17a

Wheelchair Ramps and Elevators. The County Community Development Agency has presented recommendations to the Planning Commission on an amendment to Chapter 22.72 of the Marin County Code to increase accessibility of units by permitting well designed wheelchair ramps and elevators to be extended into the front yard to within three feet of the property line. Staff shall draft text amendments to be presented to the Planning Commission and Board of Supervisors for adoption by December 31, 1993.

Program H-1.17b

Compliance with Accessibility Regulations. The County will continue to comply with State regulations regarding handicapped access to commercial, apartment, and public buildings. Responsible Agency: Marin County Department of Public Works.

Program H-1.17c

Housing with Services for the Elderly. The County Community Development Agency will work with developers of new senior housing to plan for and provide adjacent types or levels of housing with services that will allow elderly residents of senior housing, especially those with low and moderate incomes, to "age in place."

Program H-1.17d

Parking Space Requirements for Affordable Housing Projects. The County should be flexible in addressing parking requirements for housing projects affordable to low and very low income households if alternatives which reduce the standard parking requirements can be provided without negative impacts.

Program H-1.17e

Residential Care Facilities. The County shall encourage the use of existing housing for residential care facilities for handicapped persons, as defined in Section 22.068.090 of the Marin County Code. The Code allows residential care facilities of seven or more persons in residential areas without the securing of a use permit. Quantified objectives are 22 additional beds in residential care facilities for handicapped persons.

- Program H-1.17f Group Homes. A group home of seven or more persons, as defined in Section 22.02.335 of the Marin County Code, is permitted, subject to the securing of a use permit. The County shall continue to assist nonprofit organizations seeking to establish and maintain group homes by providing funding from the Community Development Block Grant and HOME programs. Quantified objective is 22 additional beds in group homes.
- Program H-1.17g Permanent Emergency Shelter. The County shall continue to support efforts to establish a permanent replacement for the temporary winter emergency shelter by considering funding for the development of emergency shelters as a high priority for the use of the County's Housing Trust Fund when applications for funding are reviewed.
- Program H-1.17h Equal Opportunity. The County shall promote equal opportunity in the housing market for all persons regardless of race, color, religion, sex, age, marital status, presence of children in the household, sexual orientation, handicap, ancestry or other arbitrary factors. Responsible Agency: Marin Housing Center.
- Program H-1.17i Resolve Discrimination Cases. The County shall continue to fund the Fair Housing Program to act promptly to resolve cases of alleged discrimination. Responsible Agency: Marin County Board of Supervisors.
- Program H-1.17j Enforcement of the Discrimination Ordinance. The County shall actively enforce its Discrimination Ordinance prohibiting age discrimination and discrimination against families with children in rental housing.
- Program H-1.17k Housing for People with Environmental Illness. County Community Development Agency staff has presented a report to the Planning Commission on potential sites appropriate for developing housing for low-income people with environmental illness and has recommended consideration of density bonuses to allow multi-family developments for this type of housing if performance standards can be met.
- Policy H-1.18** **Housing for Emergency Personnel.** In order to provide housing for public agency emergency personnel near their work locations the County encourages provision of such housing on sites owned by the agency and sites which can be exchanged with another agency when legal, practical, and consistent with other goals and

policies. The County would consider supporting variances from zoning regulations to produce such housing if the required findings could be made.

Objective H-2 Accessibility to Health and Social Services. To make housing more accessible to health and social services.

Policy H-2.1 **Encourage Accessibility to Health and Social Services.** Encourage housing for seniors, single parent households, and handicapped persons to be more accessible to health and social services such as medical clinics and child care facilities.

Program H-2.1a Encourage Accessible Developments. The County shall encourage housing which incorporates on-site or shared health and social services appropriate to the needs of residents. Services shall include medical clinics and child care facilities.

Objective H-3 Leadership Role. To provide an active leadership role in helping to attain the objectives of the County's Housing Element.

Policy H-3.1. **Implementation of Measures.** Implement the measures prescribed in the Housing Element in a timely manner.

Program H-3.1a Staffing Levels. The County shall maintain adequate Planning and Building Inspection staff levels to process required permits on a timely basis. Responsible Agencies: Marin County Board of Supervisors, Marin County Community Development Agency, Marin County Department of Public Works.

Program H-3.1b Cooperation with Private Industry. The County shall work informally with the building and real estate industry to draft programs for providing affordable housing to be including in the 1995 revision of the County's Housing Element.

Objective H-4 Accessibility to Transit Systems. To encourage housing which is more accessible to transit systems.

Policy H-4.1. **Accessibility of Housing to Transit Systems.** The County shall increase accessibility of housing to transit along major transportation routes. Affordable housing with higher densities and mixed use should be encouraged within walking distance of transit systems.

Program H-4.1a Subdivision Access. County Community Development Agency staff has presented recommendations to the Planning Commission

for amendments to Chapter 24.04 of the Marin County Code to require developers to provide easy, safe and direct pedestrian access between residential subdivisions and transit stops. The proposed revisions have been incorporated into the code.

Objective H-5 Energy Conservation. To achieve a beneficial reduction in energy used in houses.

Policy H-5.1. **Solar Access.** The County Community Development Agency shall encourage the placement, orientation and design of all new housing to provide solar access in the Design Review and Master Plan review process by publishing a Solar Access Fact Sheet before June 1, 1992, and distributing the Fact Sheet to applicants. This policy is being implemented.

Policy H-5.2 **Solar Design.** The County Community Development Agency shall encourage passive solar design and energy conservation measures in new housing developments by publishing a Solar Design Fact Sheet before January 1, 1992, and distributing the Fact Sheet to applicants. This policy is being implemented.

Policy H-5.3 **Energy Conservation.** The County shall encourage energy conservation in existing housing by publishing an Energy Conservation Fact Sheet before June 1, 1992, and distributing the Fact Sheet to applicants. This policy is being implemented.

NOTES

¹1960, 1970 U.S. Census of Population

²1980, 1990 California Department of Finance, Population and Housing Estimates for Bay Area Counties

³1970, 1990 U.S. Census of Population

⁴1980, 1990 Department of Finance, Population and Housing Estimates for Bay Area Counties

⁵1960, 1970, 1980 U.S. Census of Housing; 1960, 1970, 1980 U.S. Census of Population

⁶1980-1990 California Department of Finance, Population and Housing Estimates for Bay Area Counties

⁷Phone Interviews with Boards of Realtors in each of the nine counties in the Bay Area, June, 1988

⁸This information was reported by the California Association of Realtors in May, 1989.

⁹This figure was estimated by multiplying Marin's median rent in 1988 times a factor representing the differences in sales prices between houses in unincorporated Marin and houses in all of Marin.

¹⁰The 1989 HAP for Marin indicates that 165 large families had very low incomes and 103 had low incomes. Since 26% of all occupied housing in Marin were located in unincorporated areas, it is estimated that 43 large families in unincorporated areas had very low incomes and 27 large families had low incomes.

¹¹Janet Kern, the director of the Marin Center for Independent Living, said in January, 1989 her office served 7 hypersensitive people (interview with Janet Kern, 2/9/89).

¹²Statistics provided by the Marin Housing Center, 1989.

¹³Phone interview with Allen Stansbury, formerly with the Marin Board of Realtors.

¹⁴This assumes a 20% down payment with a 30-year fixed rate mortgage at 10% interest.

¹⁵Information provided by the Housing Authority of the County of Marin

¹⁶With the exception of the discussion of ABAG's regional housing needs determinations, the information presented in this Element for unincorporated Marin includes areas within the sphere of influence of cities.

¹⁷Households paying more than 25% of their income for housing are considered to be overpaying for housing.

¹⁸The most current information on housing stock conditions comes from the 1988 HAP written by the Marin County Planning Department. The HAP indicated that there were 2,052 substandard units in all of Marin. Since 26% of all housing units are located in unincorporated areas, it was assumed that 26% of all substandard units were likewise located in unincorporated areas.

¹⁹ibid.

²⁰This information was obtained in a phone interview with Scott Callow, PG&E Energy Conversion Specialist, May, 1988.

²¹It was assumed that 75% of the development in unincorporated Marin is located in close proximity to public services (e.g. public transportation, job counseling, etc.), hence may be appropriate for emergency shelter and transitional housing facilities. Based on the 1989 housing estimates of the California Department of Finance, 75% of the total number of single family units (potential shelter sites for less than six persons) in Marin is 17,162 units. It is further assumed that emergency shelters and transitional housing facilities for more than six persons would be allowed in all multi-family units of five or more attached units; 75% of these units is 2,669.

²²ABAG, Projections '92

²³Projections of the 1995 unincorporated population were derived by multiplying the 1989 ratio of unincorporated county population to total county population time the 1995 projected total county population.

²⁴ABAG, Projections '92

²⁵ABAG, Projections '92

²⁶Projections of the 1995 unincorporated housing stock were derived in the same manner as the 1995 unincorporated population figures. The 1989 ratio of unincorporated to total county housing units was multiplied by the 1995 total number of housing units in all of Marin, including cities and unincorporated areas.

²⁷ABAG, Projection '92

²⁸Source: Marin County Department of Public Works Residential Building Permits Records

²⁹This information was obtained in an interview with Paul Klassen, a senior transportation engineer in the Marin County Department of Public Works, January, 1990.

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APPENDIX A

AN EVALUATION OF THE 1984 HOUSING ELEMENT

This section reviews the 1984 Housing Element in terms of achieving the State housing goal. The State goal is to expand housing opportunities and accommodate the housing needs of all economic levels. The 1984 Marin County Housing Element addressed this goal directly in the "Housing Objectives" section which contained quantified objectives for a number of housing programs. Following is a comparison between the quantified objectives of the 1984 Element and what was actually achieved by the various programs. The reasons for any discrepancy between the original objective and actual performance are also given.

Evaluation of the 1984 Housing Element leads to the conclusion that, with the exception of rehabilitation programs, the County has been highly successful in meeting its quantified housing objectives. The County has met a large portion of the quantified objectives for new construction programs specified in the 1984 Element. The 1984 Element projected a maximum of 355 new units constructed with the assistance of local, State and Federal programs; 332 units were actually built. The County exceeded the quantified objectives for rental assistance recipients. A maximum of 42 households were projected to receive rental assistance, while 125 households received such assistance.

The County was less successful in meeting its objectives for rehabilitating existing units; only 356 out of a projected maximum of 1,450 units were rehabilitated. The shortfall can be attributed to two factors: 1) a lack of knowledge of the requirements of the Public Housing Modernization Program, and 2) the inability to secure private funding for the Housewarming Project.

The 1984 Housing Element also listed a number of general policies relating to such areas as land use, social and economic diversity, energy, and accessibility. Where specific programs existed, the County was successful in implementing the policies listed. For example, the County partially funded the Fair Housing Program which provided equal opportunity information and counseling. The County also encouraged the construction of Second Units, and prohibited the conversion of apartments into condominiums. However, the majority of the policies listed in the 1984 Element did not have significant results because they were not tied to specific programs. For instance, commercial and high-density residential development has not been concentrated in high-intensity, transit-accessible nodes because there was no program directed at amending zoning ordinances to allow such concentrations. Likewise there was no specific program to encourage the development of new housing accessible to the physically handicapped.

The revised Housing Element attempts to strengthen its policies by tying them to specific programs. For example, to make more housing accessible to physically handicapped persons, there is a program to consider amending Chapter 22.72 of the Marin County Code to permit well designed wheelchair ramps and elevators to be extended into the front yard to within three feet of the property line (Program H-1.12 a).

APPENDIX B

PUBLIC PARTICIPATION

In an effort to involve all segments of the community in the preparation of the Housing Element, the County Community Development Agency solicited and received comments from the public throughout the revision process. Comments were first solicited on the Draft Housing Element through a series of informal interviews conducted in February and March, 1989. A number of housing-related non-profit groups in the county were interviewed, including Ecumenical Association for Housing, Marin Center for Independent Living, the Housing Center, and Innovative Housing. In addition, interviews were conducted with Marin Builders Exchange staff, and staff of the Marin County Board of Realtors. Topics that were discussed during these interviews were specific to the area of interest to each organization.

On May 15, 1989, the Draft Housing Element was presented to the Joint Committee on the Countywide Plan for their comments. This is a group comprised of civic leaders and concerned citizens including the Marin Conservation League, the Environmental Forum, and the League of Women Voters. Representatives from Ecumenical Association for Housing were also invited to participate in this meeting. On May 27, 1989, the Draft Element was reviewed by the Countywide Plan Advisory Committee, an appointed body composed of elected officials from each of the 11 cities and towns and one elected official from the County Board of Supervisors. Courtesy notices of this meeting were mailed to a large number of organizations and individuals interested in housing issues. In addition, copies of the draft Housing Element were made available to interested persons at this meeting.

In June, 1989, the draft Housing Element was sent to the State Department of Housing and Community Development (HCD) to be reviewed as required by State law. During that 45 day review period, the Element was presented to the Committee on Affordable Housing of the Marin County Board of Realtors.

Copies of the revised Element were mailed to housing project sponsors, housing advocates, housing developers, and other groups and individuals involved in housing issues, and have been available at the Marin County Community Development Agency as well as the public libraries. Public hearings were held by the Marin County Planning Commission beginning in Spring of 1990 to discuss the draft Element. Courtesy notices of these hearings were mailed to a large number of organizations and individuals interested in housing issues. The public hearings were noticed in the Independent Journal, a local newspaper with a large circulation and notices of the hearings were posted in community centers, libraries, the County Courthouse, laundromats, and other public areas throughout the County. Further revisions to the Housing Element were made based on the comments by HCD and additional public hearings were held on the draft Housing Element. On June 30, 1992, HCD sent the Community Development Agency a letter indicating that the revised Housing Element was in compliance with state law. After conducting a public hearing, the Board of Supervisors adopted the Housing Element in August, 1992.

APPENDIX C

COST OF CONSTRUCTION

As an example of the cost of construction in Marin County, in May 1988 the Builders Exchange calculated the following figures for a typical three bedroom, two bath house in a small subdivision. The overall design would be semi-custom (the builder alters the design of each unit to avoid monotony). One further assumption is that the parcel is near existing roads and utilities.

Cost Item

\$150,000	Level parcel, approximately one acre in size
10,000	Infrastructure installation: storm drain, sewer and water lines, electric lines
<u>150,000</u>	Labor and materials for construction, (2,000 sq.ft. unit)
\$310,000	

The Builders Exchange further subdivided the \$150,000 cost of constructing the house into the following percentage components:

<u>Percentage of Cost</u>	<u>Item</u>
2	fees and plan check
3.5 to 4	foundation
8 to 8.5	lumber
11	labor (rough e.g. framing)
2	labor (finish)
5	cabinets, counters
2.5	insulation
5.5 to 6	roof
2.5	doors
1.5	windows, sliding doors
8	siding
4 to 4.5	sheet rock
4	painting
2.5 to 3	carpeting
1.5	appliances
13.5 to 15	heating and plumbing
4.5 to 5	electrical wiring
10 to 15	overhead and profit

APPENDIX D

DEVELOPMENT IN THE COASTAL ZONE

From January, 1982 to December 31, 1987 there have been an estimated 312 Coastal Permits issued by the County. County Planning staff estimates that the majority of these permits were issued for single-family residential unit construction. However, there were two projects known to be affordable to low income persons that were assisted by the County during this time period. One was a 25-unit Section 202 rental project for very low income elderly people (constructed in 1985), and the other was a 9-unit owner/builder project (still under construction as of June, 1990).

Since development in unincorporated Marin is concentrated in urban areas, there will probably be very little affordable housing developed in the coastal zone between 1990 and 1995. It is estimated that 25 units will be constructed within the time frame of this Element which will be affordable to those households with low and very low incomes. (There will not be any low income or very low income units required to be constructed in the Coastal Zone during the time frame of this Element.)

Since there were only an estimated 36 demolition permits issued county-wide during the six year period (January, 1982 - December, 1987), and since most construction in the county took place outside of the coastal zone, it is unlikely that a significant number of units affordable to low or moderate income persons were demolished. Due to the requirements of the Condominium Conversion Ordinance which prohibits the conversion of rental units into condominiums, it is highly unlikely that there have been any conversions of units from rental units into condominiums. Therefore, there will not be any additional affordable units needed to replace those lost through demolition or conversion.

APPENDIX E

BOARD OF SUPERVISORS OF THE COUNTY OF MARIN

ORDINANCE NO. 3137

AN ORDINANCE ESTABLISHING FEES FOR ZONING RELATED APPLICATIONS,
(MARIN COUNTY CODE TITLE 22);
SUBDIVISION APPLICATIONS, (MARIN COUNTY CODE TITLE 20); FLOATING
HOME EXCEPTIONS, (MARIN COUNTY CODE CHAPTER 19); AND
ENVIRONMENTAL REVIEW (CALIFORNIA ENVIRONMENTAL QUALITY ACT)

The Board of Supervisors of the County of Marin hereby ordains:

SECTION I. The Board of Supervisors hereby finds:

1. Marin County Code, Title 22 establishes procedures for processing Zoning and related applications by the County, and
2. Marin County Code, Title 20 establishes procedures for processing Subdivisions by the County; and
3. Marin County Code, Title 19 establishes procedures for processing and review of Floating Home Exception permits by the County, and
4. The California Environmental Quality Act establishes requirements for Environmental Review, and
5. The cost to the County for such processing should be offset by the collection of reasonable fees, and
6. Pursuant to Government Code Section 54985 *et seq.*, the Board of Supervisors has determined that the fees specified herein comprise the estimated cost to provide the indicated service, and
7. Legal notice was given of the public hearing scheduled before the Board of Supervisors to consider the adoption of a revised fee schedule, and
8. The Board of Supervisors conducted a public hearing on April 6, 1993.

SECTION II. The fees set forth in Exhibit "A" to this Ordinance are hereby adopted to become effective on and after July 1, 1993.

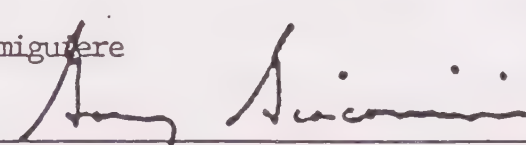
SECTION III. Ordinance Number 3059 is hereby repealed effective June 30, 1993 at 5:00 PM.

SECTION IV. Effective Date. This ordinance shall be and is hereby declared to be in full force and effect on May 6, 1993 and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for and against the same, in Marin Independent Journal, a newspaper of general circulation, published in the County of Marin.

AYES: SUPERVISORS Annette Rose, Harold Brown, Brady Bevis, Gary Giacomini

NOES: None

ABSENT SUPERVISOR Bob Roumiguere



CHAIRMAN OF THE BOARD OF SUPERVISORS
PRO TEM
COUNTY OF MARIN

ATTEST:



Clerk of the Board

ZONING APPLICATION FEES
(MARIN COUNTY CODE TITLE 22)

3/22/94 11:50

	TYPE	Rate
1	a. Use Permit and Amendment	2,375
	b. Use Permit and Amendment - Accessory Structures	1,625
	c. Use Permit for Second Unit	1,625
2	Use Permit for Mobile Home	1,000
3	Variance and Amendment	1,815
4	Sign Review	665
5	Sign Permit	250
6	Design Review or Precise Development Plan	
	a. Value of Project - Multi-family and Commercial	
	Under \$20,000	790
	\$20,000 - \$50,000	1,925
	\$50,000 - \$80,000	2,665
	\$80,000 - \$250,000	4,440
	\$250,000 - \$500,000	5,875
	Over \$500,000	10,375
	b. Design Review/Single Family	1,750
	c. Design Review/Single Family - Minor or Amendment	815
	d. Design Review -Exemption Determination	100
7	Amendment to Design Review/Precise Development Plan	
	Value of Project	
	Under \$20,000	525
	\$20,000 - \$50,000	1,240
	\$50,000 - \$80,000	1,725
	\$80,000 - \$250,000	2,850
	\$250,000 - \$500,000	3,790
	Over \$500,000	5,815

ZONING APPLICATION FEES
(MARIN COUNTY CODE TITLE 22)

3/22/94 11:50

TYPE	Rate
8 Coastal Permit	
a. Administrative	500
b. Public Hearing	815
c. Coastal Exclusion	125
9 Tidelands Permit Fee	875
10 Master Plan	
a. Non-Residential	11,250
PLUS .12% improvement value	
b. Residential 1-4 units	7,790
PLUS \$100/unit	
c. Residential 5 units or more	14,375
PLUS \$50/unit	
d. Minor amendment to Master Plan	2,500
e. Major amendment to Master Plan	6,250
11 Countywide or Community Plan or Coastal Plan Amendment (Amendments to Special Area Plans and other plans required by State law are included in this category)	5,000
12 Rezoning	6,000
13 a. Street Name Change	250
b. Change in address initiated by property owner	125
14 Planning Review Fee of Building Permits	
a. Building Permit (major plan checks) (\$25 for Building Inspection - DPW, \$255 for Planning plan check) plus \$65 for each additional detached unit when plan checks submitted to the Planning Department for more than one residential dwelling unit are proposed under one application.	280
b. Condition Compliance fee for multi-family and commercial projects 0.0625% of construction value over \$250,000 for multi-family projects of 3 or more units and for commercial projects.	Varies

ZONING APPLICATION FEES
(MARIN COUNTY CODE TITLE 22)

3/22/94 11:50

TYPE	Rate
c. Building Permit (minor plan checks) includes non-structural building improvements only (\$10 for Building Inspection - DPW, \$130 for Planning plan check) plus \$65 for each additional detached unit when plan checks submitted to the Planning Department for more than one residential dwelling unit are proposed under one application.	140
d. Building Permit - (Solar Panels)	75
e. Building Permit for Residential Accessory Structure in conjunction with Building Permit for House (\$10 for Building Inspection - DPW, \$65 for Planning plan check)	75
f. Long Range Planning Surcharge Based on Building Permit Fees, Marin County Code Title 19, collected by the Department of Public Works.	5%
15 Appeals to Planning Commission	450
16 Appeals to Board of Supervisors	625
17 Extensions and Renewals	
Extension of time to vest a Use Permit or Variance	325
Administrative Renewal of a Use Permit	325
A Renewal of a Use Permit Requiring a Public Hearing	940
Extension of time to vest a Design Review/Precise Development Plan	315
Extension of time to vest a Master Plan	440
Extension of time to vest a Coastal Permit	150

SUBDIVISION APPLICATION FEES, (MARIN COUNTY CODE TITLE 20)

18 Tentative Map, where Final Map required:	
a. For the first 5 lots	6,250
b. For each additional lot	75
c. For each lot proposed to be served by a septic tank	75
19 A Tentative Map, where Parcel Map required:	
a. For 4 or less lots	5,625
b. For each lot proposed to be served by a septic tank	75

ZONING APPLICATION FEES
(MARIN COUNTY CODE TITLE 22)

3/22/94 11:50

TYPE	Rate
20 Planning Check Fee for Parcel and Final Maps billed at \$75.00 per hour, \$3,000 retainer for Parcel Maps and \$6,000 retainer for Final Maps due upon submission of Improvement Plans.	Varies
21 Lot Line Adjustment - no additional lot is to be created	500
22 a. A minor amendment of an approved Tentative Map where Parcel or Final Map is required	1,000
b. A major amendment of an approved Tentative Map where Parcel or Final Map is required	3,750
23 Certificate of Compliance	690
24 Single-Holding Form	250
25 Merger Request	125
26 Extensions	
a. Extension of an approved Tentative Map where Parcel Map is required	325
b. Extension of an approved Tentative Map where Final Map is required	325

FLOATING HOME EXCEPTION APPLICATION FEES (MARIN COUNTY CODE CHAPT

27 Floating Home Exception	1,815
a. Floating Home Architectural Deviation	250

CALIFORNIA ENVIRONMENTAL QUALITY ACT

28 Environmental Review	
a. Initial Study	1,450
b. Categorical Exemption	125
c. EIR Administration Overhead	30%

ZONING APPLICATION FEES
(MARIN COUNTY CODE TITLE 22)

3/22/94 11:50

TYPE	Rate
29 Mitigation monitoring, and permit compliance review; cost per hour	75
30 FOR INFORMATION ONLY: Fish and Game Fee pursuant to Assembly Bill 3158:	
a. Fish and Game Fee - Negative Declaration	1,275
b. Fish and Game Fee - EIR	875
31 Release of Lien - Notice of Violation (Enforcement)	500

GENERAL PLANNING SERVICES

a. Property Status Determination and Research Fee \$75/hour, \$300 retainer upon submission of request.	Varies
b. Preapplication Review Fee \$75/hour, \$300 retainer upon initiation of review For projects involving a master plan, sub-division map, plan amendment or rezoning. Fee collected applied to subsequent application if submitted within one (1) year.	Varies

APPLICATION OF FEES

- A. Fees shall be submitted in full at the time of application submittal to the County.
- B. Pursuant to a written request, the Board of Supervisors may waive or reduce fees upon a finding that such waiver or reduction is in the public interest and that the applicant or appellant is unable to pay such fees.
- C. Portions of fees may be refunded upon withdrawal of the application; the amount of refund determined by the Planning Director, based upon the amount of work done by the County upon the application.
- D. Full fee credits may be granted toward resubmittal of applications if applications are withdrawn and resubmitted within 60 days from the date of withdrawal with the prior written authorization of the Planning Director.
- E. In the event that any work has been undertaken or use made of the property without legal authorization prior to completing the requisite procedures necessary to authorize such work or use, the applicant shall pay two times the specified amount.

ZONING APPLICATION FEES
(MARIN COUNTY CODE TITLE 22)

3/22/94 11:50

TYPE

Rate

- F. Where a project requires more than one permit, the full fee shall be collected for each and permit required.
- G. The Planning Director shall waive 100% of the planning fees for that portion of any project provides below market rate housing units. The amount of fees waived to be determined ba proportion of the project which is below market rate housing, and the permanency of the h subsidy.

APPENDIX F

PLANNED DISTRICTS

ZONED DISTRICT	PERMITTED USES (With Master Plan and/or Design Review)	DENSITY - UNITS/CARE (Examples)		BUILDING HEIGHT Main Accessory		DEVELOPMENT STANDARDS
R.S.P. Residential, Single Family, Planned	1. One Family Dwelling 2. Public Parks and Playgrounds 3. Crop & Tree Farming 4. Nurseries & Greenhouses (Private) 5. Home Occupations 6. Accessory Buildings	R.S.P.-0.25	1 unit/4 acres	30'	15'	Design Review
		R.S.P.-0.5	1 unit/2 acre			
		R.S.P.-1.0	1 unit/acre			
		R.S.P.-2.0	2 units/acre			
R.M.P. Residential, Multiple, Planned	1. All uses permitted in R.S.P. 2. Schools, Libraries, Museums, Churches, Private Tennis Courts. 3. Two Family and Multiple Family Dwellings. 4. Lodges, Fraternities	R.M.P.-0.5	1 unit/2 acres	30'	15'	Design Review
		R.M.P.-1.0	1 unit/acre			
		R.M.P.-5.0	5 unit/acre			
		R.M.P.-10	10 units/acre			
A.R.P. Agricultural, Residential, Planned	1. One Family Dwelling 2. Agricultural Uses: grazing, dairying, crop farming, fish hatchery, poultry, etc. 3. Guest Houses	A.R.P.-2.0	1 unit/2 acres	30'	15'	Design Review
		A.R.P.- 10	1 unit/10 acres			
		A.R.P.- 60	1 unit/60 acres			

*NOTE: Please see Chapter 22.47 of Marin County Code for more specific information on uses, design standards and requirements. All development in planned districts is subject to Design Review pursuant to Chapter 22.82 of Marin County Code.

Development of your parcel may be subject to certain fire protection requirements relative to water and fire hydrant availability. Please contact the County Fire Department or your local Fire Protection District for applicable regulations pertaining to development. It is recommended that this be done during the initial stages of project planning.

SETBACKS

ZONED DISTRICT	PERMITTED USES* (**Without U.P., Variances, etc.)	LOT AREA	AVERAGE WIDTH	FRONT	SIDE	REAR	BUILDING HEIGHT	F.A.R. (Floor Area Ratio Maximum)
A-2	1. Limited Agricultural.	2 Acres	100 Ft.	25 Ft.	6 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
A-2:B-1	2. Processing of agricultural products grown entirely on property.	6,000 Sq. Ft.	50 Ft.	25 Ft.	5 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
A-2:B-2	3. Stables, etc.	10,000 Sq. Ft.	75 Ft.	25 Ft.	10 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
A-2:B-3	4. Kennels having less than six dogs.	20,000 Sq. Ft.	100 Ft.	30 Ft.	15 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
A-2:B-4	5. All uses permitted in R-1.	1 Acre	150 Ft.	30 Ft.	20 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
	6. Accessory uses.							
R-A	1. All uses permitted in R-1.	7,500 Sq. Ft.	60 Ft.	25 Ft.	6 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
R-A:B-1	2. Small livestock farming. (See Sec. 22.14.020(2))	6,000 Sq. Ft.	50 Ft.	25 Ft.	5 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
R-A:B-2	3. Dairy on five acres or more.	10,000 Sq. Ft.	75 Ft.	25 Ft.	10 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
R-A:B-3	4. Temporary sale of agricultural products.	20,000 Sq. Ft.	100 Ft.	30 Ft.	15 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
R-A:B-4	5. Accessory buildings and uses.	1 Acre	150 Ft.	30 Ft.	20 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
R-1	1. One-family dwelling.	7,500 Sq. Ft.	60 Ft.	25 Ft.	6 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
R-1:B-1	2. Public parks & playgrounds.	6,000 Sq. Ft.	50 Ft.	25 Ft.	5 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
R-1:B-2	3. Crop and tree farming and gardening.	10,000 Sq. Ft.	75 Ft.	25 Ft.	10 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
R-1:B-3	4. Nursery and greenhouses.	20,000 Sq. Ft.	100 Ft.	30 Ft.	15 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
R-1:B-4	5. Home occupations.	1 Acre	150 Ft.	30 Ft.	20 Ft.	20% of Lot Depth/ 25 Ft. Maximum	2½ Stories 35 Ft. Maximum	30%
	6. Accessory building uses.							

* THE ABOVE SETBACKS ARE NOT APPLICABLE TO DETACHED ACCESSORY BUILDINGS.

** For information regarding other zones, etc., please contact the Marin County Planning Department or current Marin County Zoning Ordinance.

APPENDIX G

ENVIRONMENTAL REVIEW FACT SHEET

DEFINITION

State law requires all government agencies to perform environmental review on projects which require government approval. Environmental review criteria and procedures are set by the California Environmental Quality Act (CEQA) and the Marin County CEQA Guidelines. The Guidelines give specific information on what projects or activities are exempt from review, and criteria for determining whether a project should receive a Negative Declaration (declaration that the project would have no significant impact on the environment) or if an Environmental Impact Report (EIR) should be prepared. If a project is not exempt from environmental review an Initial Study is prepared to determine whether a Negative Declaration or an EIR is appropriate. An EIR must be prepared if any of the effects of the project may have a substantial adverse impact on the environment, regardless of whether the overall effect of the project is adverse or beneficial.

TIME FRAME FOR PROCESSING

Environmental review is processed along with the application for project development approval. The required time for processing environmental review will vary depending upon the complexity of the project and its potential environmental impacts. Environmental review must be completed before action can be taken on the merits of a project. Generally, action is taken on environmental review and on the merits of the project at the same public hearing. State law requires that all development projects be approved or denied within six (6) months from the date of acceptance if a Negative Declaration or Exemption is issued for the project, and within one (1) year if an EIR is required.

ENVIRONMENTAL REVIEW PROCESS

STEP 1 PRE-APPLICATION RESEARCH/REVIEW - Before submitting your application for development approval (i.e., application for variance, tentative map, subdivision action), the applicant should determine what County regulations affect the project area. At this point a call or visit to the Zoning Counter will help you determine whether formal environmental review will be required for your project.

Generally, new construction of single-family dwellings, additions to existing structures, lot line adjustments, and replacement or reconstruction of existing structures are categorically exempt from environmental review. Projects that increase or change the intensity of use, involve new construction of a multi-family residential structure or any new commercial structure, and projects involving land divisions generally require preparation of a Negative Declaration or an EIR.

STEP 2 SUBMIT APPLICATION AT ZONING COUNTER - If your project is not categorically exempt, you will be required to submit an Environmental Review Submission (attached to this fact sheet) with your Zoning/Development or Subdivision application. Please

(Continued)

ENVIRONMENTAL REVIEW PROCESS (continued)

check with the counter planner if you have any questions regarding the Environmental Review Submission or the application. Incomplete or unclear applications will not be accepted for processing. The planner assigned to process your application will also process the environmental review of your project.

STEP 3 CATEGORICAL EXEMPTION - If your project is exempt from environmental review a Notice of Exemption will be completed and submitted to the Planning Department's Environmental Coordinator for review. If acceptable and appropriate, the Notice of Exemption will be filed with the County Clerk's Office, and environmental review of your project is complete.

If the Environmental Coordinator determines that an exemption from environmental review is not appropriate for your project, you will be notified that an Initial Study is required and additional fees and an Environmental Review Submission must be submitted before further processing of your application can occur.

STEP 4 INITIAL STUDY - The Initial Study is prepared by a staff planner to assess the potential for environmental impacts in order to determine whether an EIR or a Negative Declaration will be required. The initial study includes a checklist of potential environmental impact for concerns such as geophysical factors, biotic communities, hydrology, air quality, natural resources, and other concerns such as conformance with general and specific plan designations, community/cultural factors, economics, transportation, public services and public utilities.

STEP 5 INITIAL DETERMINATION - Based upon the initial study, the Environmental Coordinator will make one of the following two findings:

1. the project has "No Significant Impact" and therefore a "Negative Declaration" would be in order. (See Step 6); or
2. the project will have, or may have, a significant impact on the environment and therefore requires the preparation of an EIR. (See Step 7)

The Environmental Coordinator may determine that an EIR is not appropriate for the project but may require that additional studies (i.e., traffic archaeological surveys, etc.) be conducted to augment the initial study. If additional studies are required, the applicant will be notified within 30 days from the date the application was accepted as complete.

STEP 6 NEGATIVE DECLARATION - If it is determined that the proposed project will not have a significant effect on the environment, a Negative Declaration is prepared and a notice so stating is posted at two public places. Any citizen who believes that an EIR rather than a Negative Declaration should be prepared for the proposal may appeal to the Planning Commission within 10 days after the notice has been posted. If there is no appeal, environmental review of the project may proceed pursuant to Step 10 of this fact sheet. If an appeal has been filed, the Planning Commission will review the Initial Study and determine whether an EIR must be prepared in lieu of a Negative Declaration.

STEP 7 PREPARATION OF DRAFT EIR - If it is determined that an EIR is required, a "Notice of Intent to prepare an EIR" is prepared and posted. Any citizen who believes that a Negative Declaration rather than an EIR should be prepared for the proposal may

(Continued)

ENVIRONMENTAL REVIEW PROCESS (Continued)

appeal to the Planning Commission within 10 days after the notice has been posted. If an appeal has been filed, the Planning Commission will review the Initial Study and determine whether an EIR must be prepared in lieu of a Negative Declaration.

- If an EIR is required, a draft EIR is first prepared. The time frame for this step averages two months and is primarily dependent on the scope and complexity of the proposed project and its impacts. The County will prepare the EIR by contract through a consulting firm. A fee will be charged to cover the cost of preparing the report and administering the process.

STEP 8 REVIEW OF DRAFT EIR - The Planning Department will distribute copies of the draft EIR to those individuals and agencies on its designated review list. Additional copies may be sent to those who have a special interest in the project. A notice that the Draft EIR has been received and that copies are available for inspection will be posted. This review period must be in effect for a minimum of thirty (30) days.

STEP 9 FINAL EIR - The Planning staff or consultants working under the supervision of planning staff will then prepare a Final EIR after the review period. The Final EIR will consist of the Draft EIR with addenda containing all the comments received, a list of persons, organizations and public agencies commenting on the Draft EIR, and the responses of the County to significant environmental issues raised in the Draft EIR and comments received.

STEP ADOPTION OF A NEGATIVE DECLARATION/CERTIFICATION OF FINAL EIR - The final reviewing authority (Planning Commission or Board of Supervisors) must adopt the Negative Declaration or certify the Final EIR prior to or at the time the merits of the project's application are finally considered. If not adopted or certified the document is returned for further review or information. A Negative Declaration or EIR is used to assist the decision-making body in reviewing environmental impacts that may occur as a result of the development proposal. If the development application is approved, the final reviewing authority may impose conditions, as suggested in the EIR or Negative Declaration, to mitigate any significant adverse environmental impacts.

FOR FURTHER INFORMATION

- ° Call or visit the Marin County Planning Department Zoning Counter, Room 308, Civic Center, San Rafael, California 94903: Open Monday through Friday (closed holidays)
9 a.m.-12 p.m. and 1-5 p.m.
(415) 499-6269
- ° See Marin County Zoning Ordinance

ENVIRONMENTAL REVIEW SUBMITTAL REQUIREMENTS

If Environmental Review is required, the following must be submitted:

1. A completed Environmental Review submission application accompanying your project application.
- Any such material as may be required by the Planning Director or the Environmental Review Officer.
3. Filing fee (see Fee Schedule).

As the result of the investigation, it was found that the library had been established in 1894, and that it had been in operation since that time. The library was found to be a valuable institution, and it was recommended that it be continued.

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